

USAFE STRUCTURES BOARD HEARING MINUTES OF JANUARY 21ST, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Excused: Enrique Crooks Walter Williams Mark Trowbridge

Staff: Theodore Berman, Clerk of the Board
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:45 P.M. on Wednesday, January 21st, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the October 15th, 2003 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva changed the sequence of the board hearing due to the fact that board was behind schedule. He then started the heard cases instead of announcing the list of cases that were agreed upon, uncontested, withdrawn or deferred. He informed everyone that Mr. Berman will announce them after the last heard case.

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board will ratified the agreements after the last heard case and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 2:46 P.M. by the court reporter.

Mr. Berman called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC98-783U 2770 NW 55 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structures and recommended that "said structure(s) (A) & (B) be secured within five (5) working days. The following securing method id approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure,

clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans and structure (B) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Mr. Vega then gave the status of structure (C) and recommended "said structure must be demolished by an individual qualified to obtain a demolition permit within sixty (60) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible."

Mr. Richard Dogan, property owner stated that the blue prints recently got into his possession on January 20, 2004. He also stated that each time he took them back, he was sent back because all the measurements did not pass inspection. Mr. Dogan then requested more time to pull permits to complete the repairs.

Mr. Navarro enlightens the board that the property owner has not done any repairs to the property for 6 years.

Mr. Cueva asked Mr. Vega if this was a zoning issue.

Mr. Vega replied "yes."

Mr. Starkweather then asked was anyone living on property.

Mr. Dogan replied "no."

Mr. Errickson pointed out that the roof section is being held up by post shores.

After some discussion, Mr. Milian moved that "said structure(s) (A), (B) & (C) be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A), (B) & (C) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structures (A) & (B) shall conform to the

Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. The complete building or structure (C) shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach Case:

BV04-000098

1475 Collins Avenue

Ms. Rhonda Montoya-Hasan, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Ms. Montoya-Hasan gave an account of the structures and recommended that “said structure must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Alex Barthet, Attorney stated that Mr. Harold Rosen, the original attorney for the case has taken ill and he was now representing the property owner. He informed the board that the hotel is a historic building. Mr. Barthet stated that the City of Miami Beach asked for the hotel to be boarded and they complied. He also informed the board that the report that everyone is looking at from the Blue Panel by the two engineers that was not selected by the property owner, it was selected by the City. Mr. Barthet stated that the end result and the conclusion of those reports are the issues associated with the building being able to be repaired. He also stated that he believed that the repairs were done with full access and visibility to the ceilings, walls, and floors. Mr. Barthet also informed the board that the spauling was noted in the report, but their conclusion was that the foundation is stable with no visible cracking.

Mr. Cueva asked Mr. Barthet does he know where.

Mr. Barthet replied “at the end.”

Mr. Milian asked Mr. Barthet what kind of relief they were seeking.

Mr. Barthet replied that they are seeking that the building does not get demolished and be declared safe for the purpose after internal shoring and bracing is done to continue the remodeling upon the issuance of the proper permits.

Mr. Milian asked how much time they are asking to pull the permits with the condition that the shoring is in and to do the repairs.

Mr. Azan interrupted to inform the board that all the floors in the five-story building are deteriorated. He stated that there is no way to save it. Mr. Azan also informed the board that the building is sitting close between Collins and 15 Street to the sidewalk and there isn't any room to do any type of bracing from the exterior of the building.

Mr. Cueva read the shoring engineer report that indicated that the work that was done illegally without permits by an unlicensed contractor and the city issued a notice of violation for aiding an abetting.

Mr. Starkweather stated that the property owner began shoring the building, but they have not obtained any permits and no one has been in the building.

Mr. Milian asked the City if they were willing to sit down to work out a schedule of shoring to make it safe and to give the property owner more time to pull the permits.

Ms. Montoya-Hassan replied that the work was done without a permit. She informed the board that the property is unstable and no more time will be granted by the City to do any repairs.

Mr. Francisco stated that the shoring was done on a few floors and all the work that needs to be done is inside the building.

Mr. Barthet informed the board that the property owner needed two years to complete all repairs.

Ms. Montoya-Hasan informed the board that the property owner has not given the City anything.

Mr. Loader asked if any test were conducted.

After some discussion, Mr. Starkweather moved to uphold the Building Official's recommendation. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200316210U

10429 NW 33 Avenue

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (I) must be repaired or completed. A building permit for structures must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structures (A) & (I) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (B), (C), (D), (E), (H), (J) & (K) and recommended “said structures must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson reminded the board that this case had been before the board prior and the board gave the owner advice to seek financial assistance.

Prior to the start of the case Mr. Berman informed the Board that the owner of the property only speaks Spanish and would need an interpreter.

Through interpretation of Mr. Navarro, Ms. Clotilde Alvarez homeowner, informed the board that she purchased the house 34 years ago and explained that the first time she was before the board, the Unsafe Structures Unit wanted to have her structure demolished. She informed the board that she wasn’t aware of any permits to demolish the structures. She also explained to the board that there is a small room that was built without permits, but she is not financially able to demolish it. Ms. Alvarez informed the board that this situation had been a lot on her because of her bad health. She also showed the board pictures to show proof that she had made progress to do the work.

After some discussion, the Asst. County Attorney, Glenn Saks advised Mr. Navarro that he could not interpret what the owner has to say to the board.

Ms. Gloria Alvarez, daughter of property owner interpreted what her mother had to say to the board and confirmed that Mr. Navarro did do proper translation.

Mr. Cueva asked Ms. Alvarez what she planned to do with property.

Through interpretation of Ms. Gloria Alvarez, Ms. Alvarez replied that she had gone to several agencies and no one was able to assist her.

Mr. Milian asked Mr. Errickson will there be a lien on the property if the structures were to be demolished.

Mr. Errickson replied “yes” and the CBS dwelling as well.

Through interpretation of Ms. Gloria Alvarez, Ms. Alvarez stated that the carport alone takes up all of her finances.

Mr. Millian stressed to the board that Ms. Alvarez doesn’t have funds and they will either have to give her more time or uphold the building official’s recommendation.

Mr. Cueva informed the board that structures (F) & (G) recommends “no action required”, by the Building Official.

Mr. Errickson informed the board that he amended his recommendation to maintain secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (I) must be repaired or completed. Said structures (B) & (E) shall be demolished. All debris resulting from the demolition shall be removed from the premises. Said structures (C) & (D) shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit to be obtained within one hundred eighty (180) days from today from the Unsafe Structures Unit. The demolition must be completed within one hundred eighty (180) days of obtaining the permit. All debris resulting from the demolition shall be removed from the premises. The Unsafe Structures Board shall retain jurisdiction.

After some discussion, Mr. Loader moved to uphold the building official’s recommendation. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318999U

5461 NW 179 Terrace

Mr. Antonio Brina, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Brina gave an account of the structure and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Orlando Diaz, Representative of owner stated that there are things the property owner needs to do prior to what need to be done to the property.

Mr. Cueva asked how long has he worked on the property.

Mr. Diaz replied that the property was bought with the violation and the problems were inherited from the previous owner.

Mr. Starkweather asked if the property owner was aware of any permits for the structures.

Mr. Diaz replied that the property owner was not aware of any violation at the time of purchasing the home.

After some discussion, Mr. Milian made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit for structure must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. Unsafe Structures Board shall retain jurisdiction on this matter.” Mr. Ramirez seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fifth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318748U

1936 NW 54 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structure and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Phyliss Williams, daughter of the property owner stated that when they originally received the notice of violation, they were aware of what to do. She informed the board that the problem aroused today when they were told that the wall had to be demolished and it was not supposed to. She then asked the board to disregard and find the owner in compliance.

Mr. Vega informed the board that the Building Inspector made an error, which put the building department in a bad situation and this is a zoning issue.

After some discussion, Mr. Milian made a motion that “said structure are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (B) must be repaired or completed. A building permit for structure must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Deeb seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the sixth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318749U

1932 NW 54 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structures and recommended that “said structure (A) be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). Said structures are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans and said structures (C) & (D) must be repaired or completed. A building permit for structures (A), (C) & (D) must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A), (C) & (D) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of

the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Cruz then gave an account of structure (B) and recommended that “said structure (B) shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Phyllis Williams stated that the structure was never a dwelling and it is not deteriorated. She informed the board that the inspector can re-inspect to see that it is safe and should not be included on the Notice of Violation. Ms. Williams asked the board to dismiss the case.

Mr. Navarro informed the property owner that a 40-year certification is to be continued of use.

Ms. Williams stated that she renewed a 40-year certification and submitted it to the building department.

Mr. Navarro enlighten the property owner that when a building is older than 40 years, the owner will need to submit a certification every 10 years after.

After some discussion, Mr. Loader made a motion that “said structure (A) must be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. Said structures (C) & (D) must be repaired or completed. A building permit for structures must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures (A), (B), (C) & (D) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structure (A) must obtain a 40-year recertification report within 90 days from today.” Mr. Milian seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the seventh case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319013U

2765 NW 44 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structure and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Maurice Christopher, grandson of the owner stated that the owner would need more time to complete repairs.

Mr. Vega mentioned to the board that the structures are unsafe and not repairable.

Mr. Ramirez informed the owner that he would be spending more money to demolish and rebuild.

Mr. Loader stated that the structures are not in danger to the public, he will grant the property owner more time.

Mr. Milian asked Mr. Navarro what is a substantial time to give an owner to get a permit.

Mr. Navarro replied 4 to 6 months.

After some discussion, Mr. Deeb made a motion to defer this case for 30 days. Mr. Starkweather seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion did not pass.

After some more discussion, Mr. Milian made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman proceeded to inform the members that the following Unincorporated Miami-Dade County and City of Miami cases were **withdrawn** per the Building Official.

Unincorporated Miami Dade Cases: Deferred to January 21, 2004 USSB

DCF2001102398U	20305 Ingraham Highway
DC200214296U	665 NW 151 Street
DC200316378U	20533 NW 44 Place
DC200320111U	16150 NW 40 Court

Unincorporated Miami Dade Cases: Regular Scheduled for January 21, 2004 USSB

DC98573UT	29460 California Road
DC200319200U	2195 NW 119 Street
DC200320230U	5980 SW 47 Street
DC200320622U	2226 NW 84 Street
DC2003016977U	2346 NW 64 Street

City of Miami Cases: Deferred to January 21, 2004 USSB

M03-094	1 NE 50 Terrace
M03-102	2812 SW 10 Street
M03-103	5852 NW 13 Avenue

Mr. Berman then announced that the following Unincorporated Miami-Dade County, Village of Palmetto Bay and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases: Deferred to January 21, 2004 USSB

DCF2000101918U	2620 NW 27 Avenue
DC200211703U	3071 NW 45 Street A/K/A 3067 NW 45 Street
DC2003019384U	6112 NW 22 Avenue
DC2003019454U	2956 NW 48 Street
DC200316261U	7200 Crandon Blvd.
DC200316357U	20641 NW 37 Court
DC200317355U	5700 NW 31 Avenue
DC200317815U	2615 NW 68 Street
DC200317942U	5539 NW 31 Avenue
DC200318673U	2391 NW 171 Terrace
DC200318686U	20430 NW 22 Avenue
DC200318746U	6108 NW 22 Avenue
DC200319286U	15421 NW 29 Avenue

Unincorporated Miami-Dade County Cases: Regular Scheduled for January 21, 2004 USSB

DC200109182U	11340 Biscayne Blvd.
DCF2001102461U	4900 SW 118 Avenue
DC200212779U	15141 NW 32 Avenue
DC200315998U	11345 SW 56 Street
DC200317383U	3084 NW 55 Street
DC200318334U	2911 NW 66 Street
DC200318937U	11760 SW 181 Street
DC200319027U	2971 NW 51 Street
DC200319078U	4779 NW 22 Avenue
DC200319227U	2490 NW 155 Street
DC200320230U	821 NW 100 Street
DC200320610U	2001-33 NW 95 Street

City of Miami Case: Deferred to January 21, 2004 USSB

M03-101	2363 W. Flagler Street
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Village of Palmetto Bay Cases: Deferred to January 21, 2004 USSB

PB2003-001	9841 East Fern Street
PB2003-002	9855 East Fern Street
PB2003-003	9869 East Fern Street

Village of Palmetto Bay Case: Regular Scheduled of January 21, 2004 USSB

PB2003-007	9799 SW 182 Street
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Mr. Berman then announced that the following Unincorporated Miami-Dade County, Village of Palmetto Bay and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases: Deferred to January 21, 2004 USSB

DC200214637U	11107 Caribbean Blvd., 313, 315, 311, 318, 211, 213, 215, 115 and 117
DC2003019806U	3908 NW 23 Avenue
DC200318330U	1015 NW 72 Street
DC200318657U	4549 NW 33 Court
DC200318756U	2375 NW 43 Street

Unincorporated Miami Dade Cases: Regular Scheduled for January 21, 2004 USSB

DC2003016398U	12062 SW 10 Terrace, B-East
DC200316561U	1855-59 NW 74 Terrace
DC200316938U	22310 SW 108 Avenue
DC200317803U	3751 NW 177 Street
DC200317869U	2354 W 56 Street
DC200421315U	6805 NW 18 Avenue

City of Miami Cases: Deferred to January 21, 2004 USSB

M03-095	29 NE 61 Street
M03-096	602 NW 1 st Street
M03-097	608 NW 1 st Street

1411 NW 55 Terrace
1521 NW 55 Street

Village of Palmetto Bay Case: Deferred to January 21, 2004 USSB

PB2003-004 7860 SW 173 Terrace

The cases and photographs were submitted to the Board for review was called by Mr. Berman.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Berman. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion

Mr. Cueva informed the board members that it important that everyone be on time and their attendance is needed to all board hearings.

Prepared by: _____

Recording Secretary

Chairperson

Date: _____

The meeting was adjourned at 6:30 P.M.

USAFE STRUCTURES BOARD HEARING MINUTES OF FEBRUARY 18TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Excused: Walter Williams

Staff: Theodore Berman, Clerk of the Board
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, February 18th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva announced that the minutes of the January 21, 2004, Unsafe Structures Board Meeting would be available to review at the next board hearing on Wednesday, March 17, 2004.

Mr. Berman then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman proceeded to inform the members that the following Unincorporated Miami-Dade County case were **withdrawn** per the Building Official.

Unincorporated Miami Dade Case:

DC200319875U 5400 NW 159 Street

Mr. Berman then announced that the following Unincorporated Miami-Dade County cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200317342U 2769 NW 55 Street
DC200317369U 2990-92 NW 57 Street
DC200319012U 2739 NW 44 Street
DC200319286U 15421 NW 29 Avenue
DC200320301U 1021 NW 76 Street
DC200320386U 1407 NW 97 Street
DC200320867U 11303 NE 13 Avenue
DCF2001102457U 17850 E. State Rd. 9 Drive
DCF2001102531U 1601 Opa Locka Blvd.
DC200318675U 16450 NW 22 Avenue

Mr. Berman then announced that the following Unincorporated Miami-Dade County cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC2003018035U	19630 NW 5 Court
DC200317514U	5601 NW 35 Avenue
DC200318685U	20325 SW 190 Street
DC200319136U	6904 NW 19 Avenue
DC200320305U	5417 NW 24 Avenue
DC200320623U	8020 NW 13 Court
DC200421520U	2731 NW 58 Street

Mr. Berman then announced that the following Unincorporated Miami-Dade County cases were **deferred**:

Unincorporated Miami Dade Cases:

DC200320394U	440 NW 116 Street
DC200421927U	20800 NW 37 Court

The cases and photographs were submitted to the Board for review was called by Mr. Berman.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Berman. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 2:05 P.M. by the court reporter.

Mr. Berman called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319359U	29631 SW 142 Court
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Mr. Aberlardo Mayorga, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Mayorga gave an account of the structures and recommended that "said structure be secured within five (5) working days. The following securing method id approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer's Certification and Architect/Engineer's

sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Diana Rigal, property owner stated that she needed more time to complete the repairs and proceeded to ask the board for additional time.

Mr. Deeb asked Ms. Rigal what made the structure unsafe.

Ms. Rigal replied according to the Engineer’s report, it’s unsafe.

Mr. Milian asked Mr. Mayorga does the Building Department inspect properties after they are built.

Mr. Navarro replied “yes.”

Mr. Navarro then explained how the property is unsafe and how it will deteriorate more.

Ms. Rigal informed the board that she wanted to get a lawyer to see what steps she should take.

After some discussion, Mr. Milian moved that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure shall be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319771U

658 NW 100 Street

Mr. Antonio Brina, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Brina gave an account of the structures and recommended that “said structure be secured within five (5) working days. The following securing method id approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Shawntavia Hammonds, interested party stated that the property owner needed more time to complete the repairs and proceeded to ask the board for additional time.

Mr. Milian asked Ms. Hammonds what is her relation to the property owner.

Ms. Hammonds replied that she is the property owner’s niece, as well as his secretary.

The board members stated that they do not feel comfortable making a decision without the presence of the owner of the property.

After some discussion, Mr. Milian moved to defer this case for thirty (30) days. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200004395U

14200 Le Jeune Road, Units 22, 23, 61, 66, 101, 102, 105, 114,
119, 121, 137, 147, 150, 209, 406, 407, 408, 409, 410, 411, 415 &
500

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “said structures (C), (D), (E), (F), (G), (J), (K), (L), (M), (N), (O), (P), (Q), (R), (S), & (T) shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Max Fajardo, Representative of the Aviation Department stated that Building Nos. 61 & 66 are being determined if it is historical.

Mr. Milian asked about the length of time it is taking to determine this structure historical.

Mr. Fajardo replied that when they were before the board in 2000, they demolished what they were supposed to in a timely manner. He informed the board that litigation has stopped them from evicting the tenants. Mr. Fajardo also informed the board that the tenants do not want to leave the premises, so they took them to court. He then stated that they are willing to demolish Building #101, 102, 105, but they are deemed historical. Mr. Fajardo also stated that Building #101 and 105 has been vacant and secured, but no one occupies Building #101.

Mr. Loader asked if any of the buildings have collapsed.

Mr. Fajardo replied “no”. and informed the board that he doesn’t think that any of the buildings would collapse. Mr. Fajardo also informed the board that the only building that is occupied is Building #66 and the tenants are taking them to court. Mr. Fajardo stated that they have fenced the building because it is unsafe, but what has stopped them from demolishing it is the litigation that is against them.

Mr. Loader stated that he felt uncomfortable hearing this case, due to the litigation process ongoing.

Mr. Errickson stated that Units #61, 66, 101, 102 and 150 are not historical, but they are still in compliance and some are not in compliance.

After some discussion, Mr. Loader moved to defer for thirty (30) days Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200320083U

2 NE 117 Street

Mr. Orlando Vega, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of the structures and recommended that “said structures be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed and structure (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. Structure (B) - The complete building or structure shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Harold Hicks, Representative of Fannie Mae stated that they would like to secure and repair rather than demolish the property.

Mr. Cueva asked Mr. Hicks how long it would take to sale the property.

Mr. Hicks replied that they do intend to do the repairs if they felt they could not sale the property.

Mr. Cueva said that he wanted to make sure the mortgage company didn’t sale the property as is and it becomes a problem for the new owner.

Mr. Hicks informed the board that there will be a signed contract with the violation included and the owner will be aware of it.

After some discussion, Mr. Millian made a motion to uphold the building official’s recommendation. Mr. Vera seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman called forth the fifth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200422470U

1421 NE 163 Street

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that "said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible."

Mr. Pedro Baez, Chief of the Fire Department stated that the owner has complied and informed the board members that the only item pending is the installation of the fire alarm.

Mr. Mark Alhaditt, Attorney stated that the owner has tried to comply with everything.

Mr. Paul Lemay, General Manager of the Mall stated that the property has existed since 1956 and that the ongoing work is to improve the shopping center.

Mr. Milian asked if the Mall can be occupied.

Mr. Lemar replied "yes", they have completed what needed to be done to obtain compliance.

Mr. Michael Hopkins stated that they hired Electricians and Contractors to install the smoke alarms and a permit was issued Tuesday, February 17, 2004 and they are ready to do the work. He further stated that the fire alarm can be finished by June 2004.

Mr. Ed McWhonten, General Contractor stated that the drawings will be submitted on Monday, February 23, 2004.

After some discussion, Mr. Loader made a motion that "said owner shall submit a permit application revision within five (5) working days for the north wall enclosure of the remaining structure. The temporary emergency shoring under the supervision of a professional engineer shall be completed within seven (7) working days, and a subsequent shoring permit must be obtained from the building department. The wall enclosure and roof structure remedial work shall be completed within twenty-one (21) days. The fire alarm system and any and all other necessary fire work shall be completed by June 30, 2004, evidenced by a final inspection approval on permit #2004040997. The property owner is to maintain fire watch seven days a week, during the Mall operation hours until the fire alarm system is fully functional as evidenced by a final inspection. The Building Department shall alert the Unsafe Structures Board in the event that any of the above requirements are not met. The Unsafe Structures Board shall retain jurisdiction." Mr. Ramirez seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion

Mr. Cueva informed the board members that it important that everyone be on time and their attendance is needed to all board hearings to obtain quorum

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

The meeting was adjourned at 6:30 P.M.

UNSAFE STRUCTURES BOARD HEARING MINUTES OF MARCH 17TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Staff: Herminio Gonzalez, Secretary, Unsafe Structures Board
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:35 P.M. on Wednesday, March 17th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the January 21st, 2004 and February 18th, 2004 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed the board that a status report for the T.G.K. is due and they are requesting a continuance. He then turned the floor over to the Secretary of the Board, Mr. Herminio Gonzalez.

Mr. Gonzalez announced to the board that the County Attorney and Representatives of the departments familiar with this issue requested a continuance to the next meeting, to provide the final status report for T.G.K.

Discussion:

Mr. Milian opposed to granting anymore extensions for the T.G.K. He stated that it is a public safety issue and the lives of inmates are at stake.

Mr. Cueva asked if anyone in the audience was present to give the status report for the T.G.K. He then let the record reflect that no one from T.G.K. was present.

The Chairman moved to grant a continuance and administered a roll call vote.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva then returned to the agenda and addressed the Bi-Annual Unsafe Structures Report. He asked the board members to acknowledge the receipt of the report and review it for discussion and ratification at the next meeting.

Mr. Loader explained to Mr. Milian that all the board is doing is acknowledging the receipt of the report and will discuss it at the next board hearing, if there are any changes to the report they can be addressed at that time.

Ms. Kathy Charles, Building Code Compliance Office, informed the board members that the process had changed from a annual report to a bi-annual report. She also informed the board that if they had any amendments to the report, they could submit their concerns to include the language in a draft in order for the Building Code Compliance Office to have it ready at the next meeting.

Mr. Gonzalez then added that the board members could fax or e-mail their concerns to our office, so it can be drafted for the next meeting for discussion.

Ms. Charles provided the board members with her e-mail address and fax number.

Mr. Cueva administered a roll call vote on their acknowledgement of the report.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Gonzalez proceeded to inform the members that the following Unincorporated Miami-Dade County and City of Miami cases were **withdrawn** per the Building Official.

Unincorporated Miami Dade Case:

DC200320107U	1790 NW 94 Street
DC200320111U	16150 NW 40 Court
DC200320517U	1757 NW 90 Street
DC200320521U	1748 NW 89 Terrace
DC200320607U	2990 NW 95 Terrace
DCF2002102651U	2525 NW 207 Street, #01
DCF2002102807U	10151 NW 22 Avenue, #01

City of Miami:

M04-004	1101 NW 22 Avenue
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Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200319618U	2740-50 NW 43 Terrace
DC200320397U	2955 NW 99 Street
DC200320611U	2169 NW 80 Street
DC200320795U	19221 NW 51 Avenue
DC200421235U	1515 NW 167 Street
DC200421935U	21053 NW 37 Court
DC200421936U	20525 NW 21 Avenue

City of Miami:

M04-002	332 NW 52 St. A/K/A 328 NW 52 St.
M04-003	1060 Brickell Avenue
M04-006	1610 NW 21 Terrace
M04-007	1617 NW 38 Street
M04-009	2936 W. Flagler Street

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC200212577U	3010 SW 115 Avenue
DC2003020744U	4433 NW 23 Court
DC200319771U	658 NW 100 Street
DC200320391U	1160 NW 118 Street
DC200320746U	3075 NW 57 Street
DC200321082U	2212 NW 91 Street
DC200421607U	1240 NW 115 Street
DC200421952U	525 NE 189 Street, #504

City of Miami:

M04-001	244 NW 72 Terrace
M04-005	1603 NW 31 Street
M04-008	2071 NW 6 Place

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County case was **deferred**:

Unincorporated Miami Dade Cases:

DC200321083U	2448 NW 81 Terrace
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The cases and photographs were submitted to the Board for review was called by Mr. Gonzalez.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 2:05 P.M. by the court reporter.

Mr. Gonzalez called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200004395U

14200 LeJeune Road, Units 61, 66, 101, 102, 105, 121, 137, 150,
209, 406, 407, 408, 409, 410, 411 & 415

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “said structures (C), (D), (E), (F), (G), (J), (K), (L), (M), (N), (O), (P), (Q), (R), (S) & (T) be demolished by an individual qualified to obtain a demolition permit within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson stated that this case is a continuance from last month’s hearing. He informed the board that seven (7) of the structures have attained compliance, six (6) are currently in non-compliance and the remainder are within compliance times in that the historical reviews have not been completed at the state level for those structures.

Mr. Max Fajardo stated that the Aviation Department has composed a proposed Board Order, which would bring the time frames for all of the structures together under one Board Order. The structure that needed to continue with the state historical preservation review process have been identified and the ones that have been designated at the county level required time for them to seek a redevelopment plan.

Mr. Cueva interrupted to ask Mr. Errickson had there been any changes since the last meeting.

Mr. Errickson answered “yes”. He informed the board that there were three (3) structures pending for approval of reports. Mr. Errickson stated that those reports had been approved and now the buildings are in compliance.

Mr. Cueva asked Mr. Errickson to clarify the reports and which buildings were they.

Mr. Errickson replied that there are 40-year recertification reports for buildings 121, 137 and 209.

Mr. Fajardo informed the board that they instructed the Aviation to come back to the board with a Board Order that addressed or would address the current status of the building. He provided the board with the Board Order that addressed the historical buildings that had been made historical or given the designation at the local level. Mr. Fajardo also informed the board that the only building remains non-vacant is Building 66 because of the litigation being pursued at this particular moment.

After some discussion, Mr. Loader moved that “Said structures are vacant and secure and will be maintained safe and secured. The subject structures have been reviewed and deemed to be of historic significance, per the Historic Preservation Board. The Historic Preservation Board has further determined that the structures shall not be demolished and all plans for repair/renovation must be submitted for approval prior to effecting work. The orders of this Board are not subject

to the Historic Preservation, although consideration is given in this matter. The Miami-Dade Aviation Department shall receive Request for Proposals for the re-development of these structures, by private parties, and award the contract within four hundred and fifty (450) days from the date of Board Order. The contract award shall give full consideration toward the restoration or replacement of the Air Traffic Control Tower. The successful private developer will submit plans for review and approval by the Historic Preservation Board; Miami-Dade Building Department; the Federal Aviation Administration; and obtain construction permits within five hundred (500) days of the contract award. Said structures shall be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within seven hundred and twenty (720) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained, on the building permit, and the owner has submitted a report signed and sealed by a Florida registered professional engineer re-certifying the structural and electrical components of the building, to the Building Official. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The Order of the Unsafe Structures Board does not concern or impact any property owned, leased or controlled by the United States Government, or any agency or subdivision thereof. Furthermore, the Board finds that Building Number 101 is safe for egress access from and for any other uses directly related to the Air Traffic Control Tower Building, also known as Building Number 100.

Board action on (C) 2-Story CBS Structure, Bldg #61; (D) 1-Story CBS Structure, Bldg #66; (L) 1-Story CBS Structure, Bldg # 150; (N) 1-Story CBS Structure, Bldg #406; (O) 1-Story CBS Structure, Bldg #407; (P) 1-Story Metal Structure, Bldg # 408; (Q) 1-Story Commercial Structure, Bldg #409; (R) 1-Story Commercial Structure, Bldg #410; (S) 1-Story CBS Structure, Bldg # 411; (T) 2-Story CBS Structure, Bldg # 415 located at the above address is as follows:

Said structures are vacant and secure and will be maintained safe and secured with the exception of Bldg. #66. For Bldg. #66 a legal process is underway to remove occupants from this building. In the interim, a "Safing" plan has been executed that will be updated, signed and sealed by a professional engineer and submitted to the Unsafe Structures Unit, within 10 days from the date of the Board Order for approval. The "Safing" plan will continue to be executed until Bldg. #66 is vacant and secure. The subject structures have been reviewed and deemed to be of no historic significance, per the Historic Preservation Board. The State will review for archeological and/or historical significance and concurrence, Miami-Dade County, then provide final direction. A license contractor pursuant to Section 10-5(2) of the Miami-Dade County Code must obtain the demolition permit within one hundred eighty (180) days from the date of the final direction provided by the State Historic Preservation Board. Said structures shall be demolished by a licensed contractor pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained through the Unsafe Structures Unit, within one hundred twenty (120) days from the date the demolition permit is obtained. All debris resulting from the demolition shall be removed from the premises. Any person aggrieved by a decision of the Unsafe Structures Board may seek judicial review of that decision in accordance with the Florida Rules of Appellate Procedure. The Board's retention of jurisdiction for this limited purpose shall also be without prejudice to Miami-Dade County's ability to pursue an alternate remedy in the Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida." Mr. Ramirez seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200213929U 22525 SW 124th Avenue

Mr. Abelardo Mayorga, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Mayorga gave an account of the structures and recommended that “said structures (A), (C) & (D) be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Mayorga then gave the status of structure (B) and recommended “said structure (B) be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure (B) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within sixty (60) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Cueva asked Mr. Mayorga if this case had been before the Board prior to this hearing.

Mr. Mayorga answered “yes”.

Mr. Cueva then asked what action did the Board take on this matter that last.

Mr. Errickson answered that the Board retained jurisdiction.

Mr. Squires, Esq., stated that the property owner, Mr. Muniz has very little resources and has attempted within his ability to correct the repairs to the property. He informed the Board that he had secured some architectural and engineering review for the property, but Mr. Muniz has not been able to commence repairs. Mr. Squires then requested for some additional time and asked to defer this case.

Mr. Loader asked how much time was requested.

Mr. Squires replied that the owner will need at least a year to correct the recommendations of the Building Department.

Mr. Milian asked where will the property owner live if the property were to be demolished.

Mr. Squires replied that the owner doesn't have any where to go.

After some discussion, Mr. Milian moved that "Said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures shall be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200422049

5904 SW 20 Street

Mr. Antonio Brina, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Brina gave an account of the structures (A) & (B) and recommended that "Said structure must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs); Structure (B) Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (B) must be repaired or completed with Engineer's Certification and Architect/Engineer's sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said

structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within thirty (30) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Brina then gave the status for structure (C) and recommended that “said structure (C) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Rene Wills, brother of the property owner, Litzie Wills stated that she is ill with a heart condition and is currently living under his care. He stated that Ms. Wills is unaware of the proceedings to repair the home, but he wished to take care of the problem.

Mr. Loader asked Mr. Wills was it his intention to repair the house.

Mr. Wills answered “yes.”

After some discussion, Mr. Milian moved that “Said structure must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs); Structure (B) Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A) & (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structure (C) must be demolished by an individual qualified to obtain a demolition permit within three hundred sixty-five (365) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200319875U

5400 NW 159 Street

Mr. Spencer Errickson, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structure and recommended that “said structure be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Eugene Mori, property owner, stated that he built the 108-unit apartment building in 1971 and today was the first time he was informed of the main violation. He informed the board that there was a transformer located beneath a portion of the building, which is too close to the building. Mr. Mori also stated that if he would have known of the violation some time ago when he met with Mr. Errickson, he could have resolved this problem. He also informed the board that he was told not to do any repairs until the day of this hearing. Mr. Mori informed the board that the deteriorated portion of the building is not easily restored with a building permit. He then requested more time to commence the necessary repairs.

Mr. Loader asked how much time is needed to undertake this work.

Mr. Mori answered that he would need three months to obtain a permit and three months to do the building.

Mr. Milian asked if the structure was a shed.

Mr. Mori answered that all of the maintenance supplies was stored inside of the two-story structure.

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within ninety (90) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the fifth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318320U

7200 SW 73 Court

Mr. Abelardo Mayorga, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Mayorga gave an account of the structures (A) & (C) and recommended that “Said structure must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual and structure (C) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within thirty (30) days from today. The completion or repair of said structures (A) & (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Mayorga then gave the status of the structure (B) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Garcia-Serra, Esq., stated that the owner purchased the property in 1987, but it was subsequently challenged by the neighboring residents. He informed the Board that they had gone to court and had been in litigation since 1997. Mr. Garcia-Serra also informed the Board that Circuit Court ruled in favor of the residents and the District Court ruled in favor of the owner and they are now awaiting the Florida Supreme Courts decision.

Mr. Loader asked if the owner planned to demolish the structure.

Mr. Garcia-Serra replied that he has not been able to consult with his client to discuss the possibilities of demolishing this structure.

Ms. Gloria Velazquez, Esq., interjected and stated that she was originally handling the Notice of Violation last year. She informed the board that while she was on maternity leave, Mr. Garcia-Serra took over the case.

Mr. Starkweather asked how far along are the permits.

Mr. Mayorga answered that they expired.

Mr. Navarro informed the board that they have most of the required inspections.

Mr. Deeb then asked if the pool was secured.

Mr. Mayorga replied that it has a lot of rocks inside of it.

Ms. Velazquez informed the board that they can commit to revisiting the issue and basically doing whatever is necessary to secure the pool.

After some discussion, Mr. Loader made a motion that “Said structure(s) must be secured within thirty (30) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs); Structure (B) Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual and structure (C) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Ramirez seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the sixth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200421927U

20800 NW 37 Court

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Vega gave an account of structure (A) and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs

or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega then gave the status of the structure (B) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Angela Lewis, property owner, stated that special housing did some work to her property and she was not aware of any open permits. She also stated that she was satisfied with all the repairs that Housing did to her property. Ms. Lewis informed the board that the property was not occupied for 6 months due to her disabled child. She also informed the board that there are windows hanging and she will do what is necessary to do the repairs. Ms. Lewis enlightened the board that when she applied for permits she was informed that she needed to do a variance due to setbacks.

Mr. Milian asked the property owner how much time she needed to do the repairs.

Ms. Lewis answered that she will need as much time as possible for her to secure the finances. She then stated that there are a lot of other repairs that needed to be done and requested for more time to do so.

Mr. Ramirez explained to the property owner the process of getting a variance and how costly it would be to demolish and repair.

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit for structures must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within three hundred sixty-five (365) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Milian seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez called forth the seventh case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200318750U

2115 NW 42 Street

Mr. Luis Hernandez, Building Inspector introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Hernandez gave an account of structure (A) and recommended that “Said structure(s) must be secured within five (5) working days. The following securing method is approved: Structure (A) Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Hernandez then gave the status of structure (C) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Carrie Horne, property owner, stated that she was informed today that she has three structures that are unsafe. She informed the board that she is willing to do the repairs and requested for more time to do so.

Mr. Starkweather asked Mr. Hernandez if Structure (C) is the addition in the back of the property.

Mr. Hernandez answered “yes”

Mr. Starkweather then asked was it built without permits.

Ms. Horne interjected and stated that the structure is not an addition, she informed the board that it was built at the same time the house was originally built.

Mr. Milian asked the owner if anyone lives there at this present moment.

Ms. Horne replied “no” and the property is secured.

Mr. Loader then asked if any permits have been issued for Structure (A).

Mr. Hernandez answered “no”

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures shall be repaired or completed with Engineer’s Certification and Architect/Engineer sealed plans. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Milian seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Discussion

Mr. Cueva informed the Board members that it is important that everyone be on time and their attendance is needed to all Board hearings to obtain quorum.

Annual Voting for Chairman & Vice-Chairman

Mr. Gonzalez thanked all the Board members for all their hard work over the years and stated that he really appreciated them for taking time to contribute to the Unsafe Structures Board.

Mr. Cueva thanked everyone for all their kind words and acknowledged the extraordinary contributions of his fellow Board members for over the last 12 months where they faced significant challenges. Specifically, he related those to the limited number of Board members that have required a hundred percent attendance from all of them is a extraordinary commitment. He also informed the board members that he sent a recommendation to fill the vacancy for Commisioner Seijas.

Mr. Milian elected Mr. Cueva for Chairman and Mr. Loader for Vice-Chairman. Mr. Starkweather seconded the motion.

Mr. Gonzalez then administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

The meeting was adjourned at 4:30 P.M.

USAFE STRUCTURES BOARD HEARING MINUTES OF APRIL 21ST, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Staff: Theodore Berman, P. E., Deputy Director
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:30 P.M. on Wednesday, April 21st, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva announced that the minutes of the March 17th, 2004, Unsafe Structures Board Meeting would be available to review at the next board hearing on Wednesday, May 19th, 2004.

Mr. Berman then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman proceeded to inform the members that the following City of Miami case was **withdrawn** per the Building Official.

City of Miami:

M04-010 1343 NW 1 Street

Mr. Berman then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200317957U	1370 NW 72 Street
DC200318134U	16321 SW 102 Place
DC200318660U	1075 NW 140 Street
DC200318753U	2121 NW 45 Street
DC200319029U	5325 NW 29 Court
DC200319587U	14721 Harrison Street
DC200320384U	9520 NW 8 Avenue
DC200320390U	1020 NW 116 Terrace
DC200320519U	1733 NW 81 Street
DC200320523U	1766 NW 89 Terrace
DC200321083U	2448 NW 81 Terrace
DC200421557U	12400 SW 152 Street

City of Miami:

M04-011	1910 SW 17 Street
M04-012	2130 SW 9 Street
M04-015	6915 NW 5 Court

Mr. Berman then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC2003018681U	11705 SW 184 Street
DC200320387U	9201 NW 8 Avenue
DC200421313U	8851 SW 157 Avenue

City of Miami:

M04-014	3655 Florida Avenue
M04-017	4191 Ingraham Highway

Mr. Berman then announced that the following Unincorporated Miami-Dade County case was **deferred**:

Unincorporated Miami Dade Cases:

DC200320398U	7835 SW 127 Court
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City of Miami:

M04-013	2250 SW 34 Avenue
M04-016	1510 NW 19 Terrace

The cases and photographs were submitted to the Board for review was called by Mr. Berman.

Mr. Cueva announced that the board will be reviewing the cases during the period of the discussion of the old business that is listed on the agenda to speed up the process.

Status Report: (Turner Gilford Knight) – 7000 NW 41 Street

Mr. Tom Robertson, Assistant County Attorney, requested for an extension of time as indicated in the status report because of the quantity of work that needed to be completed. He informed the board that they have made significant progress and they have been in contact with Mr. Charles Danger, Building Official of Miami Dade Building Department and Chief Suarez, Miami Dade Fire Department who have no objection to what they are requesting.

Mr. Jose Perez, Division Manager of Construction Management, presented the status report for April to the board. He explained to the board that the biggest issue is the fire alarm which is 96% completed and the work will be finalized at the end of the month, but wanted an extension just to make sure everything was covered to allow ample time for inspections. He further explained to the Board that the Smoke Evacuation System was 45% completed, but they needed more time to finalize the work. He also explained that the Smoke Evacuate System contract ended in October 2003 and stated that it is a more complex project than the fire alarms and that is the

reason why an extension is requested. He then explained to the Board that once the reports have been approved and agreed upon, they will forward it to Building Code Compliance.

Mr. Thomas informed the board that the Fire Department had requested that they have fire watch at all times. He also informed them that there is trained personnel on how to operate the system.

Chief Suarez, Miami Dade Fire Department stated that the Fire Department performed the fire watch in the beginning, but he did not feel comfortable to having his personnel doing this at this facility. Chief Suarez informed the board that the Fire Department talked with the Directors of Corrections Department and they decided to train the GSA Department and Correction Officers in case of an emergency.

Mr. Cueva asked if there were any family members present on behalf of any of the prisoners.

No one replied.

Mr. Milian asked if anyone know if there had been a fire at any of the Correction Facilities in the last 24 months.

Mr. Anthony Dawson, Assistant Director of Miami Dade Corrections, replied that he could not answer that because a lot of them have been self extinguished. ie. "trash fires"

Mr. Milian informed the Corrections Department that he was aware of a fire that took place in the last 24 months.

Mr. Dawson informed the board that Metro West had a fire in the last month that was extinguished by staff. He then added that a small fire took place in the kitchen of TGK recently, but was also extinguished by staff.

Mr. Milian then asked how many individuals were treated for injuries.

Mr. Dawson replied that there were no serious injuries, but they were taken to the hospital just for precautions.

Mr. Starkweather made a motion to grant the extension of 9 months and retain jurisdiction. Mr. Vera seconded.

Mr. Milian commented that the board hears from property owners who request additional time because of financial situation and how could they allow the County another extension when the prisoner's lives are still in danger. He informed the board that he will not vote for any additional extensions.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Berman. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Clarification of Unsafe Structures Board Order – 1421 NE 163 Street

Mr. Jeff Bartel, Representative of the 163rd Mall, stated that his presence was to witness the clarification of the Board Order for the 163rd Mall, which was heard at the February 18th, 2004 hearing.

Chief Suarez, Miami Dade Fire Department stated that the question today is whether the fire watch is to be monitored 24 hours 7 days a week by the Fire Department at the Mall. He explained to the Board that the code does not require fire watch to protect the property. He further explained that the code requires life safety provision. He informed the Board that the fire watch should be during the operation of the Mall by the Fire Dept.

Mr. Loader moved to clarify that the fire watch be monitored by the Fire Department during the operation of the mall hours. Mr. Starkweather seconded the motion.

Chief Pedro Bas informed the board that the Fire Department has access to a radio from the Mall Security. He also informed them that the mall has a security company that monitors after business hours and if an emergency occurs, they will call them on the radio and they feel comfortable with this process.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

Bi-Annual Review Report

Mr. Milian moved to amend the report to indicate that the quorum should be reduced to 5 members instead of 7 members due to the amount of members the Unsafe Structures Board currently. He added that this would avoid a problem with quorum that they had in the last year. Mr. Starkweather seconded the motion.

Mr. Cueva informed Ms. Charles that Paragraph 6 should be modified.

The Board voted to accept the Bi-Annual Review Report of the Unsafe Structures Board for 2002-03 with the modification. A motion was made by Mr. Cueva to accept the report of the Unsafe Structures Board for 2002-03 and seconded by Mr. Starkweather.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 3:05 P.M. by the court reporter.

Mr. Berman called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200421939U

4551 NW 201 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (E), (F) & (G) and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A), (B), (E), (F) & (G) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (C) & (D) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Stella Gonzalez, daughter of owner, stated that she just gave birth to a new born and requested for additional time due to financial situation.

Mr. Milian asked how much time was she requesting.

Ms. Gonzalez answered that she will need at least 6 months to start the process.

Mr. Ramirez asked Mr. Errickson how long will it take to get a permit without a getting a survey.

After some discussion, Mr. Milian moved that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A), (B), (E), (F) & (G)

for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (C) & (D) and recommended that "said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within one hundred eighty (180) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Starkweather seconded the motion.

Mr. Berman administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200214516U

13380 SW 2 Terrace

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Mr. Vega then gave the status for structures (B) & (C) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Maria Temple, property owner, stated that she bought the property without the knowledge of the violations of the home.

Mr. Vega informed the board that there was also a zoning issue with the set back encroaches.

Mr. Cueva explained to the property owner the process of going before the Zoning board.

Mr. Deeb asked if there was a conflict with him voting on this case, since he lived in the neighborhood.

After some discussion, the Unsafe Structures Board took no action due to lack of quorum. (Mr. Kevin Deeb recused himself from hearing this matter). There were only six (6) available voting members: James Cueva, Gordon Loader, Alberto Milian, Abel Ramirez, James Starkweather, and Jose Vera.

Mr. Berman then called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200005426U

6601 NW 25 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (C), (D) & (E) and recommended that “said structures be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs) and Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Motion for Re-Hearing/Modification of Board Order - Case No. DC200005426U
Annie Coleman Gardens - 6601 NW 25 Avenue

Mr. Cueva raised some question on jurisdiction and processing. He wondered whether the Board could grant a rehearing for the motion.

Mr. Milian asked what mandate the board has on this particular case.

Mr. Terrence Smith, Assistant County Attorney, answered that if it is more than 30 days to challenge, it will conflict with a Federal Regulation.

Mr. Loader stated that if the court found anything different from the motion, it was not anything the board could do.

After some discussion, Mr. Milian moved that “the board deny re-hearing the case. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The meeting was adjourned at 6:30 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

USAFE STRUCTURES BOARD HEARING MINUTES OF JUNE 9TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian

Staff: Michael Goolsby, Chief, Code Compliance Division
Latisha Byrd, Recording Secretary
Glenn Saks, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:30 P.M. on Wednesday, June 9th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the March 17, 2004 and April 21, 2004 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Milian seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called for the list of cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Goolsby proceeded to inform the members that the following City of Miami case was **withdrawn** per the Building Official.

City of Miami:

M04-010 1343 NW 1 Street

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200317957U	1370 NW 72 Street
DC200318134U	16321 SW 102 Place
DC200318660U	1075 NW 140 Street
DC200318753U	2121 NW 45 Street
DC200319029U	5325 NW 29 Court
DC200319587U	14721 Harrison Street
DC200320384U	9520 NW 8 Avenue
DC200320390U	1020 NW 116 Terrace
DC200320519U	1733 NW 81 Street
DC200320523U	1766 NW 89 Terrace
DC200321083U	2448 NW 81 Terrace
DC200421557U	12400 SW 152 Street

City of Miami:

M04-011	1910 SW 17 Street
M04-012	2130 SW 9 Street
M04-015	6915 NW 5 Court

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **no show/no contest**:

Unincorporated Miami Dade Cases:

DC2003018681U	11705 SW 184 Street
DC200320387U	9201 NW 8 Avenue
DC200421313U	8851 SW 157 Avenue

City of Miami:

M04-014	3655 Florida Avenue
M04-017	4191 Ingraham Highway

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County case was **deferred**:

Unincorporated Miami Dade Cases:

DC200320398U	7835 SW 127 Court
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City of Miami:

M04-013	2250 SW 34 Avenue
M04-016	1510 NW 19 Terrace

The cases and photographs were submitted to the Board for review was called by Mr. Goolsby.

Mr. Cueva announced that the board will be reviewing the cases during the period of the discussion of the old business that is listed on the agenda to speed up the process.

Status Report: (Turner Gilford Knight) – 7000 NW 41 Street

Mr. Tom Robertson, Assistant County Attorney, requested for an extension of time as indicated in the status report because of the quantity of work that needed to be completed. He informed the board that they have made significant progress and they have been in contact with Mr. Charles Danger, Building Official of Miami Dade Building Department and Chief Suarez, Miami Dade Fire Department who have no objection to what they are requesting.

Mr. Jose Perez, Division Manager of Construction Management, presented the status report for April to the board. He explained to the board that the biggest issue is the fire alarm which is 96% completed and the work will be finalized at the end of the month, but wanted an extension just to make sure everything was covered to allow ample time for inspections. He further explained to the Board that the Smoke Evacuation System was 45% completed, but they needed more time to finalize the work. He also explained that the Smoke Evacuate System contract ended in October 2003 and stated that² it is a more complex project than the fire alarms and that is the

reason why an extension is requested. He then explained to the Board that once the reports have been approved and agreed upon, they will forward it to Building Code Compliance.

Mr. Thomas informed the board that the Fire Department had requested that they have fire watch at all times. He also informed them that there is trained personnel on how to operate the system.

Chief Suarez, Miami Dade Fire Department stated that the Fire Department performed the fire watch in the beginning, but he did not feel comfortable to having his personnel doing this at this facility. Chief Suarez informed the board that the Fire Department talked with the Directors of Corrections Department and they decided to train the GSA Department and Correction Officers in case of an emergency.

Mr. Cueva asked if there were any family members present on behalf of any of the prisoners.

No one replied.

Mr. Milian asked if anyone know if there had been a fire at any of the Correction Facilities in the last 24 months.

Mr. Anthony Dawson, Assistant Director of Miami Dade Corrections, replied that he could not answer that because a lot of them have been self extinguished. ie. "trash fires"

Mr. Milian informed the Corrections Department that he was aware of a fire that took place in the last 24 months.

Mr. Dawson informed the board that Metro West had a fire in the last month that was extinguished by staff. He then added that a small fire took place in the kitchen of TGK recently, but was also extinguished by staff.

Mr. Milian then asked how many individuals were treated for injuries.

Mr. Dawson replied that there were no serious injuries, but they were taken to the hospital just for precautions.

Mr. Starkweather made a motion to grant the extension of 9 months and retain jurisdiction. Mr. Vera seconded.

Mr. Milian commented that the board hears from property owners who request additional time because of financial situation and how could they allow the County another extension when the prisoner's lives are still in danger. He informed the board that he will not vote for any additional extensions.

Mr. Goolsby administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Goolsby. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Clarification of Unsafe Structures Board Order – 1421 NE 163 Street

Mr. Jeff Bartel, Representative of the 163rd Mall, stated that his presence was to witness the clarification of the Board Order for the 163rd Mall, which was heard at the February 18th, 2004 hearing.

Chief Suarez, Miami Dade Fire Department stated that the question today is whether the fire watch is to be monitored 24 hours 7 days a week by the Fire Department at the Mall. He explained to the Board that the code does not require fire watch to protect the property. He further explained that the code requires life safety provision. He informed the Board that the fire watch should be during the operation of the Mall by the Fire Dept.

Mr. Loader moved to clarify that the fire watch be monitored by the Fire Department during the operation of the mall hours. Mr. Starkweather seconded the motion.

Chief Pedro Bas informed the board that the Fire Department has access to a radio from the Mall Security. He also informed them that the mall has a security company that monitors after business hours and if an emergency occurs, they will call them on the radio and they feel comfortable with this process.

Mr. Goolsby administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb and Mr. Milian were opposed).

(For a verbatim version, please refer to the transcripts)

Bi-Annual Review Report

Mr. Milian moved to amend the report to indicate that the quorum should be reduced to 5 members instead of 7 members due to the amount of members the Unsafe Structures Board currently. He added that this would avoid a problem with quorum that they had in the last year. Mr. Starkweather seconded the motion.

Mr. Cueva informed Ms. Charles that Paragraph 6 should be modified.

The Board voted to accept the Bi-Annual Review Report of the Unsafe Structures Board for 2002-03 with the modification. A motion was made by Mr. Cueva to accept the report of the Unsafe Structures Board for 2002-03 and seconded by Mr. Starkweather.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 3:05 P.M. by the court reporter.

Mr. Goolsby called forth the first case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200421939U

4551 NW 201 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (E), (F) & (G) and recommended that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structures (A), (B), (E), (F) & (G) for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structures (C) & (D) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Stella Gonzalez, daughter of owner, stated that she just gave birth to a new born and requested for additional time due to financial situation.

Mr. Milian asked how much time was she requesting.

Ms. Gonzalez answered that she will need at least 6 months to start the process.

Mr. Ramirez asked Mr. Errickson how long will it take to get a permit without a getting a survey.

After some discussion, Mr. Milian moved that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit⁻⁵ must be obtained for structures (A), (B), (E), (F) & (G)

for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within three hundred sixty-five (365) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible. Said structures (C) & (D) and recommended that "said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within one hundred eighty (180) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible." Mr. Starkweather seconded the motion.

Mr. Goolsby administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200214516U

13380 SW 2 Terrace

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure (A) and recommended that "said structure be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible."

Mr. Vega then gave the status for structures (B) & (C) and recommended that “said structures shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. Maria Temple, property owner, stated that she bought the property without the knowledge of the violations of the home.

Mr. Vega informed the board that there was also a zoning issue with the set back encroaches.

Mr. Cueva explained to the property owner the process of going before the Zoning board.

Mr. Deeb asked if there was a conflict with him voting on this case, since he lived in the neighborhood.

After some discussion, the Unsafe Structures Board took no action due to lack of quorum. (Mr. Kevin Deeb recused himself from hearing this matter). There were only six (6) available voting members: James Cueva, Gordon Loader, Alberto Milian, Abel Ramirez, James Starkweather, and Jose Vera.

Mr. Goolsby then called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200005426U

6601 NW 25 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures (A), (B), (C), (D) & (E) and recommended that “said structures be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs) and Fencing. The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed for all structures. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Motion for Re-Hearing/Modification of Board Order - Case No. DC200005426U
Annie Coleman Gardens - 6601 NW 25 Avenue

Mr. Cueva raised some question on jurisdiction and processing. He wondered whether the Board could grant a rehearing for the motion.

Mr. Milian asked what mandate the board has on this particular case.

Mr. Terrence Smith, Assistant County Attorney, answered that if it is more than 30 days to challenge, it will conflict with a Federal Regulation.

Mr. Loader stated that if the court found anything different from the motion, it was not anything the board could do.

After some discussion, Mr. Milian moved that “the board deny re-hearing the case. Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

The meeting was adjourned at 6:30 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

UNSAFE STRUCTURES BOARD HEARING MINUTES OF JULY 12TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Kevin Deeb
Alberto Milian Amedee Emile

Staff: Jorge Gamoneda, Building Code Compliance Office
Yvonne Bell, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:19 P.M. on Wednesday, July 12th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva announced that the minutes of the June 9th, 2004, Unsafe Structures Board Meeting would be available to review at the next board hearing on Wednesday, September 15th, 2004.

Mr. Gamoneda called for the list of the regular cases that were agreed upon, uncontested, withdrawn or deferred separate from the Lakes of the Meadows cases.

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County, Village of Palmetto Bay and Town of Miami Lakes cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200316462U	4491 NW 198 Street
DC200320111U	16150 NW 40 Court
DC200422370U	3910 SW 88 Court
DC200422806U	4543 NW 190 Street
DC200422854U	1480 NW 193 Terrace
DC200423253U	4110 NW 22 Avenue
DC200423384U	3131 NW 33 Street
DC200423462U	5015-21 NW 79 Avenue
DCF2000101793U	2495 NW 77 Terrace
DCF2003103346U	6565 NW 32 Avenue, #1
DCF2003103399U	2994 NW 54 Street, #1
DCF2003103413U	2792 NW 24 Street, #1

Village of Palmetto Bay:

PB2003-005	14601 SW 87 Court
PB2003-008	9001 SW 157 Street

Town of Miami Lakes:

C2004-0451	6100 NW 153 Street
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Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County cases were **o show/no contest:**

Unincorporated Miami Dade Cases:

DC200211773U	1711 NW 64 Street
DC200423377U	3564 NW 102 Street
DC200424379U	16511 SW 104 Avenue
DCF2003103224U	16110 NW 13 Avenue, #1
DCF2003103630U	10760 Biscayne Blvd., #2
DCF2003103644U	1655 NW 95 Street, #1

The cases and photographs were submitted to the Board for review was called by Mr. Gamoneda.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gamoneda. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:42 P.M. by the court reporter.

Mr. Gamoneda called forth the first case within Unincorporated Miami Dade County to be heard by the Board.

Lakes of the Meadow**Unincorporated Miami-Dade County Cases:**

DC200211431	14980 S.W. 49 Lane, Units 1E, 1F, 1G & 1H
DC200211432	14970 SW 49 Lane, Units 2E, 2F, 2G, & 2H
DC200211434	14965 SW 49 Lane, Units 3E, 3F, 3G, 3H
DC200211436	14975 SW 49 Lane, Units 4E, 4F, 4G, & 4G
DC200211441	14955 SW 49 Lane Units 5E, 5F, 5G, & 5H
DC200211442	14915 SW 48 Terrace, Units 6E, 6F, 6G, & 6H
DC200211444	14925 SW 48 Terrace, Units 20E, 20F, 20G, & 20H
DC200211445	14945 SW 48 Terrace, Units 21E, 21F, 21G, & 21H
DC200211446	14950 SW 49 Terrace, Units 7A, 7B, 7C, 7D
DC200211447	14955 SW 48 Terrace, Units 22E, 22F, 22G, & 22H
DC200211448	14940 SW 48 Terrace, Units 23A, 23B, 23, & 23H
DC200211449	14940 SW 49 Lane, Units 8A, 8B, 8C, & 8D
DC200211450	14950 SW 48 Terrace, Units 24A, 24B, 24C, & 24D
DC200211451	4925 SW 149 Court, Units 9E, 9F, 9G, & 9H
DC200211452	14975 SW 48 TERRACE, UNITS 25E, 25F, 25G, & 25H
DC200211453	4915 SW 149 COURT, UNITS 10E, 10F, 10G & 10H
DC200211454	4910 SW 149 COURT, UNITS 11A, 11B, 11C, & 11D
DC200211455	4900 SW 149 COURT, UNITS 12A, 12B. 12C, & 12D
DC200211456	4875 SW 149 COURT, UNITS 13E, 13F, 13G, & 13H
DC200211459	14985 SW 48 TERRACE UNITS 26E, 26F, 26G, & 26H
DC200211460	14970 SW 48 TERRACE UNITS 27E, 27F, 27G, & 27H
DC200211461	14980 SW 48 TERRACE UNITS 28E, 28F, 28G, & 28H
DC200211462	4825 SW 152 COURT UNITS 29E, 29F, 29G, & 29H

DC200211463	4831 SW 152 COURT UNITS 30E, 30F, 30G, & 30H
DC200211464	4822 SW 152 COURT, UNITS 31E, 31F, 31G, & 31H
DC200211465	4824 SW 152 COURT, UNITS 32E, 32F, 32G, & 32H
DC200211466	4836 SW 152 COURT, UNITS 33E, 33F, 33G, & 33H
DC200211467	4832 SW 152 COURT, UNITS 34E, 34F, 34G, & 34H
DC200211468	4841 SW 152 COURT, UNITS 35E, 35F, 35G, & 35F
DC200211469	4849 SW 152 COURT, UNITS 36E, 36F, 36G, & 36H
DC200211470	4844 SW 152 COURT, UNITS 37E, 37F, 37G, & 37H
DC200211471	4848 SW 152 COURT, UNITS 38E, 38F, 38G, & 38H
DC200211472	4853 SW 152 COURT, UNITS 39A, 39B, 39C, & 39D
DC200211473	4859 SW 152 COURT, UNITS 40A, 40B, 40C, & 40D
DC200211474	4869 SW 152 COURT, UNITS 41E, 41F, 41G, & 41H
DC200211475	4873 SW 152 COURT, UNITS 42E, 42F, 42G, & 42H
DC200211476	4865 SW 149 COURT, UNITS 14E, 14F, 14G, & 14H
DC200211477	4865 SW 152 COURT, UNITS 43E, 43F, 43G, & 43H
DC200211478	4855 SW 152 COURT, UNITS 44E, 44F, 44G, & 44H
DC200211480	4840 SW 149 COURT, UNITS 16E, 16F, 16G & 16H
DC200211481	4835 SW 149 COURT, UNITS 17A, 17B, 17C & 17D
DC200211483	4825 SW 149 COURT, UNITS 18A, 18B, 18C & 18D
DC200211513	15235 SW 45 Terr Unit 50E,50F,50G, & 50H
DC200211514	15245 SW 45 Terr Unit 51E,51F,51G & 51H
DC200211515	15220 SW 45 Terr Unit 52E,52F,52G & 52H
DC200211516	15230 SW 45 Terr Unit 53E,53F,53G, & 53H
DC200211517	15240 SW 45 Terr Unit 54E,54F,54G, & 54H
DC200211518	15250 SW 45 Terr Unit 55E,55F,55G, & 55H
DC200211519	15255 SW 45 Terr Unit 56E,56F,56G, & 56H
DC200211520	15265 SW 45 Terr Unit 57E,57F,57G, & 57H
DC200211521	15275 SW 45 Terr Unit 58E,58F,58G , &58H
DC200211522	15285 SW 45 Terr Unit 59E,59F,59G, & 59H
DC200211524	15075 SW 49 Lane Unit 108E,108F,108G & 108H
DC200211525	15065 SW 49 Lane Unit 109E,109F,109G, & 109H
DC200211526	15050 SW 49 Lane Unit 110E,110F,110G , & 110H
DC200211527	15040 SW 49 Lane Unit 111E,111F,111G, & 111H
DC200211528	15025 SW 49 Lane Unit 109e,109F,109G & 109H
DC200211529	15015 SW 49 Lane Unit 113A,113B,113C & 113D
DC200211530	15000 SW 49 Lane Unit 114A,114B,114C & 114D
DC200211531	14990 SW 49 Lane Unit 115A,115B & 115D
DC200211573	15260 SW 45 Terr Unit 60E,60F,60G, & 60H
DC200211574	15270 SW 45 Terr Unit 61E,61F,61G, & 61H
DC200211575	15295 SW 45 Terr Unit 62E,62F,62G, & 62H
DC200211576	15299 SW 45 Terr Unit 63E,63F,63G, & 63H
DC200211577	15292 SW 46 Lane Unit 64A,64B,64C & 64D
DC200211578	15282 SW 46 Lane Unit 65A,65B,65C & 65D
DC200211579	15272 SW 46 Lane Unit 66ER,66FR,66GR, & 66HR
DC200211581	15262 SW 46 Lane Unit 67E,67F,67G, & 67H
DC200211582	15252 SW 46 Lane Unit 68ER,68FR,68GR, & 68HR
DC200211583	15242 SW 46 Lane Unit 69E,69F,69G, & 69H
DC200211585	15257 SW 46 Lane Unit E,F,G, & H
DC200211586	15247 SW 46 Lane Unit 71ER,71FR,71GR, & 71HR
DC200211587	15232 SW 46 Lane Unit 72ER,72FR,72GR, & 72HR
DC200211588	15222 SW 46 Lane Unit 73E,73F,73G & 73H
DC200211589	15212 SW 46 Lane Unit 74AR,74BR,74CR, & 74DR
DC200211590	15202 SW 46 Lane Unit 75A,75B,75C & 75D
DC200211591	15237 SW 46 Lane Unit 76E,76F,76G & 76H
DC200211592	15227 SW 46 Lane Unit 77E,77F,77G & 77H
DC200211593	15217 SW 46 Lane Unit 78E,78F,78G & 78H
DC200211594	15207 SW 46 Lane Unit 79E,79F,79G & 79H
DC200211607	15205 SW 48 Terr Unit 80E ,80F,80G & 80F

DC200211608	15215 SW 48 Terr Unit 81E,81F,81G, & 81H
DC200211609	15225 SW 48 Terr Unit 82E,82F,82G & 82H
DC200211610	15210 SW 48 Terr Unit 83E,83F,83G, & 83H
DC200211611	15220 SW 48 Terr Unit 84E,84F,84G & 84H
DC200211613	15235 SW 48 Terr Unit 85A,85B,85C, & 85D
DC200211614	15230 SW 48 Terr Unit 86A,86B,86C & 86D
DC200211615	4810 SW 152 Pl Unit 87E,87F,87G, & 87H
DC200211616	4820 SW 152 Pl Unit 88E,88F,88G, & 88H
DC200211617	4830 SW 152 Pl Unit 89E,89F,89G & 89H
DC200211619	4840 SW 152 Pl Unit 90E,90F,90G & 90H
DC200211621	4850 SW 152 Pl Unit 91E,91F,91G & 91H
DC200211623	4860 SW 152 Pl Unit 92E,92F,92G, & 92H
DC200211624	4880 SW 152 Pl Unit 94E,94F,94G & 94H
DC200211626	4885 SW 152 Pl Unit 95A,95B,95C, & 95D
DC200211627	4875 SW 152 Pl Unit 96A,96B,96C, & 96D
DC200211628	4817 SW 152 Ct Unit 97E,97F,97G , & 97D
DC200211629	4805 SW 152 Ct Unit 98E,98F,98G , & 98H

Mr. Julio Navarro, Unincorporated Miami-Dade County, Building Department proceeded to provide the members with a status report on the Lakes of the Meadow. He explained that they are in non-compliance for the early fire warning system, which was a requirement of the June 18, 2003 board order. Mr. Navarro added that the Homeowner's Association applied for the permits in September, but they were never issued.

Mr. Stu Bazerman, Unincorporated Miami-Dade County, Building Department stated that the engineer plans were rejected and were in non-compliance with the National Electrical Code. He informed the members that they met with Mr. Hoffman and discussed what was required to obtain compliance.

Mr. Alberto Milian asked the Building Department did they have a recommendation at this time.

Mr. Navarro and Mr. Bazerman answered "no."

Mr. Bazerman advised the Board that he again met with the engineering firm in January and February of 2004.

Mr. Navarro informed the members that Condominium No. 8 has obtained permits and are working diligently towards compliance.

Mr. Loader expressed his concern for the homeowners.

Mr. Navarro stated that the Department is not getting the cooperation they need.

Mr. Nasir Alam, Engineer for the Association, advised the Board that the system proposed was submitted to the County, but has yet to be installed.

Mr. Loader remarked that the Board requested that a permit be obtained within 90 days, why did they wait three months to start the process.

Mr. Alam responded that many things have to take place prior to an engineer starting the work; he explained that there was no funding and effort was made to obtain compliance with the last board order. Mr. Alam added that this system was rejected on September 13, 2003 and approved on January 30, 2004, but it took 2 ½ months to obtain a bid.

Mr. Cueva requested additional information on the bidding process.

Mr. Alam elaborated that each association will have a separate contract and additional funds were needed to complete this process.

Mr. Loader clarified the timeline and asked Dade County if the drawings were approved.

Mr. Bazerman commented that in January, some changes were approved, but the Unsafe Structure hold remains on the permit.

Mr. Milian asked about the system being implemented.

Mr. Bazerman stated that the device is a single stationed smoke system, which is to provide an early warning system to alert all four units. He further commented that they have been given multiple options.

Mr. Alam stated that they have to pull 422 permits and proceeded to provide the members with drawings. He stressed again that funding is an issue; however, they are ready to obtain the permits.

Mr. Cueva discussed the structural repairs and asked when they will be completed.

Mr. Alam responded that during hurricane season these buildings should not be occupied.

Mr. Stuart Grossman, Attorney for the Association, advised the Board that they are meeting with Disney to finalize this matter.

Mr. Milian asked why they did not come to the Board sooner to address these issues and stated that he felt that the firm is in contempt of the Board's Order.

Mr. Grossman remarked that there has been a good faith effort to obtain compliance, as funding is scarce now.

Mr. Loader questioned why the plans were signed, but not sealed and asked was this procedural.

Mr. Alam stated that the plans were submitted for discussion purposes.

Mr. Bazerman added that the processor missed the seal, but the signature was for a dry run.

Mr. Loader commented that this paperwork could have been done in July. He asked why it took three months to perform a one-sheet drawing.

Mr. Alam stated that the structural work is going to cost millions.

Mr. Ramirez asked who designed the system.

Mr. Alam remarked that they designed the system, but it must be a system that is affordable.

Mrs. Janet Gonzalez, Homeowner, asked why this was not found out years ago.

Mr. Navarro stated that 20-years ago these items were not mandatory inspections and it was not realized during construction.

Mr. Loader asked was the Homeowner's Association present.

Some audience members answered in unison "no."

At this time, Mr. Loader asked about the permits to be obtained and who will sign the signature on the application.

Mr. Alam stated that 40 permits could be obtained tomorrow and the president of the association will sign the application.

Mr. Dave Brockman, Florida State Fire and Security, informed the Board that four more condominium contracts to pick up. He advised the Board that he has 100 employees and they are UL listed.

Mr. Alam commented that in a week 212 drawings would be completed.

Mr. Bazerman added that out of the 40 submitted, modifications still needed to be made.

Mr. John Seinz stated that his mother lived here and asked that the Board continue to retain jurisdiction, he feels that there needed to be a time-line drawn to get things going. He asked that the Board defer for 90 days.

After much discussion, Mr. Loader moved that "this Board's Order of May 29, 2002 remains in full force and effect except as specifically modified below. Permit(s) for a fire early warning system for Condominium No. 1 (Approximately 40 units) shall be obtained within thirty (30) days from today. The installation of the fire early warning system for Condominium No. 1 shall be completed within ninety (90) days after issuance of the permit(s). Permit(s) for a fire early warning system for Condominium Nos. 2 – 7 and 9 (Approximately 382 units) shall be obtained within ninety (90) days from today. The installation of the fire early warning system for Condominium Nos. 2 – 7 and 9 shall be completed within one hundred eighty (180) days after issuance of the permit(s). Permits addressing both the fire and structural issues identified in the Board Order of May 29, 2002 must be obtained through the Unsafe Structures Unit within one (1) year after the expiration of the six (6) month period for completion of work on the fire early warning system noted above. The structures shall be substantially completed within one (1) year after issuance of the permits. The Unsafe Structures Board shall retain jurisdiction until its next meeting, which is September 15, 2004. At this meeting, a Status Report will be provided and jurisdiction considered. The Board will also consider in its discretion any petition relating to the enforcement of this order including the granting of additional time." Mr. Milian seconded the motion.

Motion passed 5 to 3. (Mr. Starkweather, Mr. Vero and Mr. Deeb were opposed).

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200421998U

14311 SW 146 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said structure be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Jeff Kramer, Representative for property owner, informed the board that a fire took place next door that jumped across to his client home and they are suing the Liberty Mutual Insurance Company. He stated that the premises have been secured and they are in arbitration. He then further informed the board that the property owner is willing to do the repairs and requested for more time to do so.

Mr. Ashley, Contractor, stated that the insurance company totaled \$1200 worth of truss cost. He also stated that the insurance company performed the inspection. He informed the board that the house was destroyed by Housing Authority. Mr. Ashley stated that the homeowner needed one (1) year to obtain the plans, but first need to submit them to the Architectural Board of Country Walk. He then further informed the board that it will take 10 to 12 months to complete the repairs.

Mr. Kramer stated that Country Walk has additional time constraints and guidelines.

Mr. Ashley stated that the property is secured and does not want a demolition order.

After some discussion, Mr. Loader made a motion that “said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures shall be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for all repairs or items to be completed.

The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred eighty (180) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within two hundred seventy (270) days from today. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Starkweather seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda then called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200423383U 27857 SW 202 Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “said structures shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Ms. Vivian Fortune, property owner, stated that she bought the property without the knowledge of the violations of the home. She then asked the board to give her more time to complete the repairs.

After some discussion, Mr. Loader made a motion that “said structures shall be demolished by an individual qualified to obtain a demolition permit within ninety (90) days from today from the unsafe structures unit. The demolition shall be completed within two hundred seventy (270) days from the date of obtaining the permit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.” Mr. Milian seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

Motion passed. (Mr. Deeb opposed).

(For a verbatim version, please refer to the transcripts)

Mr. Gamoneda called forth the fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200423317U

3127 NW 52 Street

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evident to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “said structure (A) be secured within five (5) working days. The following securing method is approved: Storm Shutters (1/2 plywood, bolts and lumber as specs). The structure is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A), (B) & (C) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. Said structure (D) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Ms. T. B. Sauls-Lewis, daughter of property owner stated that her case has been in probate court for a month. She informed the board that there is no will for the property and she wants to demolish everything. Ms. Sauls-Lewis also informed the board that she has been paying the taxes on the property for the last 15 years.

Mr. Deeb asked Ms. Sauls-Lewis if she could obtain a demolition order to demolish.

Mr. Errickson enlightened the board that Ms. Sauls-Lewis is the C/O person on all the documents and there may be a way around this.

Mr. Loader asked the Building Department how the county contracts their bids.

Mr. Errickson replied that it is done through a bid process.

Ms. T. B. Sauls-Lewis requested for 180 days to see how the probate proceedings are going.

After some discussion, Mr. Milian made a motion that “said structure (A) shall be demolished by an individual qualified to obtain a demolition permit within one hundred eighty (180) days from today from the unsafe structures unit. The demolition shall be completed within one hundred eighty (180) days from the date of obtaining the permit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.

Said structures (B), (C) & (D) shall be demolished by an individual qualified to obtain a demolition permit within ninety (90) days from today from the unsafe structures unit. All debris resulting from the demolition shall be removed from the premises.

If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” Mr. Vera seconded the motion.

Mr. Gamoneda administered a roll call vote as requested by the Chairman.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 5:20 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

USAFE STRUCTURES BOARD HEARING MINUTES OF SEPTEMBER 15TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Amedee Emile
Benjamin S. Essein

Staff: Herminio F. Gonzalez, Building Code Compliance Office
Latisha Byrd, Recording Secretary
Glen Saks, Assistant County Attorney

Court Reporter: Isabel Seralnick, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 2:05 P.M. on Wednesday, September 15th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the June 9th, 2004 and July 12th, 2004 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez presented a commemorate plaque for Mr. Walter Williams to the Unsafe Structures Board members. He then asked everyone to take a moment of silence to recognize the late Walter Williams.

Mr. Cueva then took the opportunity to welcome new board member, Mr. Benjamin Essein. The other board members also welcomed him aboard.

Mr. Loader announced that the Turner Gilford Knight (TGK) has completed 90% of the work according to the status report.

Mr. Stuart Bazerman, Unincorporated Miami-Dade County, Building Department Director of Electrical Division stated that pipes and chase were not reported in report the only thing they seemed to address.

Ms. Kathy Charles, Building Code Compliance Office asked if there were any comments that the board may have in regards to Turner Gilford Knight. If so, it will be placed on the agenda for the next board hearing.

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DCF1996100457U 4426 NW 32 Avenue

DCF1997100670U 770 NW 119 Street

DCF2002102943U	3801 NW 25 Avenue, #01
DCF2003103284U	7005-7122 NW 41 Street
DCF2003103302U	2519 NW 95 Street, #1
DCF2003103484U	6550 SW 40 Street, #1
DCF2003103795U	24215 S. Federal Hwy.,#1
DCF2003103812U	15401 SW 288 St., Bldg.#2
DCF2004103995U	3140 NW 46 Street #01
DC200213535U	1241 NW 179 Street
DC200422773U	6881 NW 179 Street
DC200422790U	1945 NW 90 Street
DC200423624U	13900 SW 197 Avenue
DC200423783U	19345 SW 240 Street
DC200425523U	9101 NW 27 Avenue
DC200425975U	17601 SW 8 Street

City of Miami:

M04-028	29 NW 42 Street
M04-031	428 NW 10 Avenue
M04-034	1278 NW 44 Street
M04-035	1283 NW 55 Street
M04-037	1484 NW 58 Terrace
M04-038	1945 NW Flagler Terrace
M04-039	2364 SW 11 Terrace
M04-043	6721 NW 3 Avenue

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami Dade Cases:

DC200320394U	440 NW 116 Street
DC200423030U	2795 NW 84 Street
DC200423729U	17300 NW 45 Court
DC200424231U	2710 NW 48 Street
DC200424464U	2466 NW 61 Street
DC200424682U	14310 NE 5 Place, #4
DC200424844U	14781 NW S. River Drive
DC200424986U	533 NW 136 Place
DC200425199U	6461 SW 43 Street

City of Miami

M04-029	288 NW 58 Street
M04-030	321 NW 59 Terrace
M04-032	900 NW 65 Street
M04-033	1132 NW 3 Street
M04-036	1424 NW 55 Terrace
M04-040	3701 Crawford Avenue
M04-041	5420 NE 1 Avenue
M04-042	6420 NW d1 place

Mr. Gonzalez then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred**:

Unincorporated Miami Dade Cases:

DCF2001102374U	2451 NW 79 Street
DCF2003103440U	8727-71 SW 24 Street
DCF2003103473U	3900 SW 88 Place, #1
DCF2004104027U	18201 NW 37 Avenue, #01
DC2001039205U	16001 SW 248 Street
DC200318673U	2391 NW 171 Terrace

The cases and photographs were submitted to the Board for review and were called by Mr. Gonzalez.

Mr. Cueva announced that to speed up the process the board will review the cases during the period of discussion of old business.

Status Report: Lakes of the Meadow

Unincorporated Miami-Dade County Cases:

DC200211431	14980 S.W. 49 Lane, Units 1E, 1F, 1G & 1H
DC200211432	14970 SW 49 Lane, Units 2E, 2F, 2G, & 2H
DC200211434	14965 SW 49 Lane, Units 3E, 3F, 3G, 3H
DC200211436	14975 SW 49 Lane, Units 4E, 4F, 4G, & 4G
DC200211441	14955 SW 49 Lane Units 5E, 5F, 5G, & 5H
DC200211442	14915 SW 48 Terrace, Units 6E, 6F, 6G, & 6H
DC200211444	14925 SW 48 Terrace, Units 20E, 20F, 20G, & 20H
DC200211445	14945 SW 48 Terrace, Units 21E, 21F, 21G, & 21H
DC200211446	14950 SW 49 Terrace, Units 7A, 7B, 7C, 7D
DC200211447	14955 SW 48 Terrace, Units 22E, 22F, 22G, & 22H
DC200211448	14940 SW 48 Terrace, Units 23A, 23B, 23, & 23H
DC200211449	14940 SW 49 Lane, Units 8A, 8B, 8C, & 8D
DC200211450	14950 SW 48 Terrace, Units 24A, 24B, 24C, & 24D
DC200211451	4925 SW 149 Court, Units 9E, 9F, 9G, & 9H
DC200211452	14975 SW 48 TERRACE, UNITS 25E, 25F, 25G, & 25H
DC200211453	4915 SW 149 COURT, UNITS 10E, 10F, 10G & 10H
DC200211454	4910 SW 149 COURT, UNITS 11A, 11B, 11C, & 11D
DC200211455	4900 SW 149 COURT, UNITS 12A, 12B, 12C, & 12D
DC200211456	4875 SW 149 COURT, UNITS 13E, 13F, 13G, & 13H
DC200211459	14985 SW 48 TERRACE UNITS 26E, 26F, 26G, & 26H
DC200211460	14970 SW 48 TERRACE UNITS 27E, 27F, 27G, & 27H
DC200211461	14980 SW 48 TERRACE UNITS 28E, 28F, 28G, & 28H
DC200211462	4825 SW 152 COURT UNITS 29E, 29F, 29G, & 29H
DC200211463	4831 SW 152 COURT UNITS 30E, 30F, 30G, & 30H
DC200211464	4822 SW 152 COURT, UNITS 31E, 31F, 31G, & 31H
DC200211465	4824 SW 152 COURT, UNITS 32E, 32F, 32G, & 32H
DC200211466	4836 SW 152 COURT, UNITS 33E, 33F, 33G, & 33H
DC200211467	4832 SW 152 COURT, UNITS 34E, 34F, 34G, & 34H
DC200211468	4841 SW 152 COURT, UNITS 35E, 35F, 35G, & 35F
DC200211469	4849 SW 152 COURT, UNITS 36E, 36F, 36G, & 36H
DC200211470	4844 SW 152 COURT, UNITS 37E, 37F, 37G, & 37H
DC200211471	4848 SW 152 COURT, UNITS 38E, 38F, 38G, & 38H
DC200211472	4853 SW 152 COURT, UNITS 39A, 39B, 39C, & 39D
DC200211473	4859 SW 152 COURT, UNITS 40A, 40B, 40C, & 40D
DC200211474	4869 SW 152 COURT, UNITS 41E, 41F, 41G, & 41H

DC200211475	4873 SW 152 COURT, UNITS 42E, 42F, 42G, & 42H
DC200211476	4865 SW 149 COURT, UNITS 14E, 14F, 14G, & 14H
DC200211477	4865 SW 152 COURT, UNITS 43E, 43F, 43G, & 43H
DC200211478	4855 SW 152 COURT, UNITS 44E, 44F, 44G, & 44H
DC200211480	4840 SW 149 COURT, UNITS 16E, 16F, 16G & 16H
DC200211481	4835 SW 149 COURT, UNITS 17A, 17B, 17C & 17D
DC200211483	4825 SW 149 COURT, UNITS 18A, 18B, 18C & 18D
DC200211513	15235 SW 45 Terr Unit 50E,50F,50G, & 50H
DC200211514	15245 SW 45 Terr Unit 51E,51F,51G & 51H
DC200211515	15220 SW 45 Terr Unit 52E,52F,52G & 52H
DC200211516	15230 SW 45 Terr Unit 53E,53F,53G, & 53H
DC200211517	15240 SW 45 Terr Unit 54E,54F,54G, & 54H
DC200211518	15250 SW 45 Terr Unit 55E,55F,55G, & 55H
DC200211519	15255 SW 45 Terr Unit 56E,56F,56G, & 56H
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DC200211524	15075 SW 49 Lane Unit 108E,108F,108G & 108H
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DC200211526	15050 SW 49 Lane Unit 110E,110F,110G , & 110H
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DC200211576	15299 SW 45 Terr Unit 63E,63F,63G, & 63H
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DC200211579	15272 SW 46 Lane Unit 66ER,66FR,66GR, & 66HR
DC200211581	15262 SW 46 Lane Unit 67E,67F,67G, & 67H
DC200211582	15252 SW 46 Lane Unit 68ER,68FR,68GR, & 68HR
DC200211583	15242 SW 46 Lane Unit 69E,69F,69G, & 69H
DC200211585	15257 SW 46 Lane Unit E,F,G, & H
DC200211586	15247 SW 46 Lane Unit 71ER,71FR,71GR, & 71HR
DC200211587	15232 SW 46 Lane Unit 72ER,72FR,72GR, & 72HR
DC200211588	15222 SW 46 Lane Unit 73E,73F,73G & 73H
DC200211589	15212 SW 46 Lane Unit 74AR,74BR,74CR, & 74DR
DC200211590	15202 SW 46 Lane Unit 75A,75B,75C & 75D
DC200211591	15237 SW 46 Lane Unit 76E,76F,76G & 76H
DC200211592	15227 SW 46 Lane Unit 77E,77F,77G & 77H
DC200211593	15217 SW 46 Lane Unit 78E,78F,78G & 78H
DC200211594	15207 SW 46 Lane Unit 79E,79F,79G & 79H
DC200211607	15205 SW 48 Terr Unit 80E ,80F,80G & 80F
DC200211608	15215 SW 48 Terr Unit 81E,81F,81G, & 81H
DC200211609	15225 SW 48 Terr Unit 82E,82F,82G & 82H
DC200211610	15210 SW 48 Terr Unit 83E,83F,83G, & 83H
DC200211611	15220 SW 48 Terr Unit 84E,84F,84G & 84H
DC200211613	15235 SW 48 Terr Unit 85A,85B,85C, & 85D
DC200211614	15230 SW 48 Terr Unit 86A,86B,86C & 86D
DC200211615	4810 SW 152 Pl Unit 87E,87F,87G, & 87H
DC200211616	4820 SW 152 Pl Unit 88E,88F,88G, & 88H
DC200211617	4830 SW 152 Pl Unit 89E,89F,89G & 89H
DC200211619	4840 SW 152 Pl Unit 90E,90F,90G & 90H
DC200211621	4850 SW 152 Pl Unit 91E,91F,91G & 91H
DC200211623	4860 SW 152 Pl Unit 92E,92F,92G, & 92H

DC200211624
DC200211626
DC200211627
DC200211628
DC200211629

4880 SW 152 Pl Unit 94E,94F,94G & 94H
4885 SW 152 Pl Unit 95A,95B,95C, & 95D
4875 SW 152 Pl Unit 96A,96B,96C, & 96D
4817 SW 152 Ct Unit 97E,97F,97G , & 97D
4805 SW 152 Ct Unit 98E,98F,98G , & 98H

Mr. Spencer Errickson, Unincorporated Miami-Dade County, Building Department proceeded to provide the members with a status report on the Lakes of the Meadow. He explained that they are in non-compliance for the early fire warning system, which was a requirement of the June 18, 2003 board order. Mr. Errickson added that the Homeowner's Association applied for the permits in September, but they were never issued.

Mr. Charles Papy, Attorney for Association, stated that all the permits were pulled on time with the exception of electrical, due to Florida Power Light working on it. He then informed the board that the contractor said that all the repairs should and be completed.

Mr. James Starkweather asked how many home owners stayed in their home during the most recent hurricane.

Mr. Papy answered that there wasn't a warning, but the homeowner's association did post a notice on each home owner's door informing them that they needed to evacuate. He then stated that the Homeowner's Association can not force the homeowners to leave their residence.

Mr. Errickson enlightened the Board that 2/3 of the homeowners stayed in their homes when a hurricane watch was in place as a follow-up after the Hurricane Frances.

Mr. Papy informed the members that all permits were obtained and the repairs would be completed by March 2005.

Mr. Bazerman remarked that as of last Thursday the permits were not pulled, but he was told that they were pulled.

Mr. Papy then submitted a list of permits to the members.

Mr. Errickson asked the Board to provide a timeframe for the warning system, because it's not clear on when it needs to be completed.

Ms. Aneda Najarro, Homeowner stated the security guard did warn the homeowners. She then informed the board that it's a lot of elderly homeowners in this neighborhood. Ms. Najarro also stated that she is willing to assist the Building Department with their efforts in obtaining compliance.

Mr. Papy stated that the case has been going through litigation for many years and hopefully it will be solved soon.

Mr. Ramirez raised a question on why Condominium 8 was able to complete their repairs so quickly.

Mr. Papy responded that Condominium 8 finished as quickly as they did, because they did not provide the correct numbers.

Mr. Julio Navarro, Unincorporated Miami-Dade County, Building Department stated that the engineer plans were rejected and were in non-compliance with the National Electrical Code. He informed the members that they met with Mr. Hoffman and discussed what was required to obtain compliance. Mr. Navarro then advised the Board that he again met with the Engineering Firm in January and February of 2004. He also informed the members that Condominium No. 8 has obtained permits and are working diligently towards compliance. Mr. Navarro then informed Mr. Papy that the board order was a valid order.

Mr. Loader expressed his concern for the homeowners.

Mr. Cueva explained to the board that a decision needs to be made today rather they want to retain jurisdiction or not.

Mr. Loader clarified the timeline and asked Dade County if the drawings were approved.

Mr. Bazerman commented that in January, some changes were approved, but the Unsafe Structure hold remains on the permit.

Mr. Cueva discussed the structural repairs and asked when they will be completed.

Mr. Alam responded that during hurricane season these buildings should not be occupied.

Mr. Papy advised the Board that they are meeting with Disney to finalize this matter.

Mr. Loader questioned why the plans were signed, but not sealed and asked was this procedural.

Mr. Alam stated that the plans were submitted for discussion purposes.

Mr. Ramirez asked who designed the system.

Mr. Alam remarked that they designed the system, but it must be a system that is affordable.

Ms. Elenel Rojo, Homeowner, asked why this was not found out years ago.

Mr. Navarro stated that 20-years ago these items were not mandatory inspections and it was not realized during construction.

At this time, Mr. Loader asked about the permits to be obtained and who will sign the signature on the application.

Mr. Alam stated that 40 permits were obtained last Thursday and the President of the Association will sign the application. He then commented that in a week 212 drawings would be completed.

Mr. Bazerman added that out of the 40 submitted, modifications still needed to be made.

Ms. Rojo asked that the Board continue to retain jurisdiction, she feels that there needed to be a time-line drawn to get things going.

After much discussion, Mr. Loader moved that “this Board’s Order of May 29, 2002 remains in full force and effect except as specifically modified below. Permit(s) for a fire early warning system for Condominium No. 1 (Approximately 40 units) shall be obtained within thirty (30) days from today. The installation of the fire early warning system for Condominium No. 1 shall be completed within ninety (90) days after issuance of the permit(s). Permit(s) for a fire early warning system for Condominium Nos. 2 – 7 and 9 (Approximately 382 units) shall be obtained within ninety (90) days from today. The installation of the fire early warning system for Condominium Nos. 2 – 7 and 9 shall be completed within one hundred eighty (180) days after issuance of the permit(s). Permits addressing both the fire and structural issues identified in the Board Order of May 29, 2002 must be obtained through the Unsafe Structures Unit within one (1) year after the expiration of the six (6) month period for completion of work on the fire early warning system noted above. The structures shall be substantially completed within one (1) year after issuance of the permits. The Unsafe Structures Board shall retain jurisdiction until March 2005.” Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gonzalez. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 2:45 P.M. by the court reporter.

Mr. Gonzalez called forth the first case within Unincorporated Miami Dade County to be heard by the Board.

Unincorporated Miami-Dade County Case:

DCF2004103987U 18200-02-04-06 SW Homestead Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following:

An application for building and or electrical permit must be submitted to the Miami-Dade Building Department within forty-five (45) days from today’s date. The department’s Unsafe Structures Unit must first review the application for permit. The application for permit must

include as part of the permit documents copies of the engineer's or architect's 40-year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon the property owner's failure to comply with any of the requirements of this Order, the Building Official shall cancel the Certificate of Occupancy, order the power to the building(s) or structure(s) disconnected and order the building(s) or structure(s) vacated and secured in a manner provided under the Building Code. If the property owner fails to secure the building(s) or structure(s), then the Building Official shall hire a private contractor to secure such building(s) or structure(s). The Building Official's actions need not take place in the order listed here. If the property owner fails to obtain a new Certificate of Occupancy for the building(s) or structure(s) within 120 days of the date of cancellation of the original Certificate of Occupancy, then the Building Official shall demolish such building(s) or structure(s). If the permit process is delayed by reasons beyond Owner's control, Owner may request in writing an extension of the time provided for in this agreement and provide proof of the reasons for the delay to the Building Department. Such a request must be made prior to the expiration of the deadline set forth in this agreement. Upon receipt of such a written request, the Building Department shall provide, if appropriate, a reasonable extension."

Mr. Errickson informed the Board that the Owner only needed the status report approved.

Mr. Ruben Coleman, the Brother of the Owner, requested to resolve the problem. He informed the Board that he has an Engineer Report and then presented it to the board.

Mr. Ramirez asked if any work was done.

Mr. Coleman answered that the electrical report indicated that work has been done that was presented to the Board. He asked that the report be taken to the Building Department and advised the Board that it will take a week to process. He asked the Board to clarify that his report get approved from the Building Department due to lack of trust.

The Board informed Mr. Coleman that they do not have the power to approve anything. The board then further informed Mr. Coleman the submittal process to the Building Department.

After some discussion, Mr. Starkweather moved to uphold the Building Official recommendation and the Unsafe Structures Board shall retain jurisdiction." Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Gonzalez then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200424227U

3271 NW 51 Terrace

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account for structure and recommended that “said the structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson then gave the status of structure (B) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Carlton Dixon, Property Owner stated that a representative from the Community Action Agency assisted in restoring his home. He then further informed the board that he requested for more time to bring back his home to a normal condition.

Ms. Karen Dixon informed the board that the representative from Community Action Agency will pull the demolition permit for the property to be rebuilt.

Mr. Errickson stated that he doesn’t think that the representatives from the program are aware of the timeframes to repair the house.

Mr. Cueva informed Mr. Dixon that the Building Department has provided a recommendation in which he wouldn’t be able to comply with. He then advised the property owner to speak to the representative from the Community Action Agency and bring back the information.

After some discussion, Mr. Cueva deferred this case until its next meeting, which is October 20th, 2004.” Mr. Starkweather seconded the motion.

Mr. Gonzalez administered a roll call vote as requested by the Chairman.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 4:05 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

USAFE STRUCTURES BOARD HEARING MINUTES OF OCTOBER 20TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Amedee Emile
Benjamin S. Essein Kevin Deeb

Staff: Michael Goolsby, Building Code Compliance Office
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Janice Aguirre, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, October 20th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the September 15th, 2004 Unsafe Structures Board Meeting. Mr. Amedee moved to accept the minutes of the board meeting. Mr. Essein seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Julio Navarro, Unincorporated Miami-Dade County, Building Department stated that pipes and chase were not reported in report the only thing they seemed to address.

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DCF2003103286U	6950 NW 41 st Street, Bldg. #1
DCF2003103287U	6950 NW 41 st Street, Bldg. #2
DCF2003103288U	6950 NW 41 st Street, Bldg. #3
DCF2003103289U	6950 NW 41 st Street, Bldg. #4
DCF2003103290U	6950 NW 41 st Street, Bldg. #7
DCF2003103440U	8727-71 SW 24 th Street
DCF2003103443U	7070 SW 9 th Street, #1
DCF2004103953U	9971 SW 40 th Street, #01
DCF2004103961U	11245 NW 7 th Avenue, #01
DCF2004104083U	2151 NW 119 th Street, #01
DC200109205U	16001 SW 248 th Street
DC200421494U	1779 NW 69 th Street
DC200422808U	2704 SW 115 th Avenue
DC200424910U	5801 SW 35 th Street
DC200425972U	2800 SW 72 nd Avenue
DC200425980U	910 SW 65 th Avenue

City of Miami:

M04-045	163 NW 11 th Street
M04-048	414 SW 7 th Street
M04-052	700 SW 4 th Avenue A/K/A 414 SW 7 th Street

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami Dade Cases:

DCF2003103473U	3900 SW 88 th Place, #01
DCF2004104117U	7950-54 NW 22 nd Avenue, #01
DCF2004104121U	3500 NW 51 st Street, #01
DCF2004104218U	8730 NW 36 th Avenue, #01
DC200425390U	6036 NW 194 th Street

City of Miami:

M04-044	80 NW 45 th Street
M04-046	201 NW 37 th Avenue
M04-047	222 NW 17 th Street
M04-050	550 NW 58 th Street
M04-051	590 NW 58 th Street A/K/A 5740 NW 5 th Court
M04-053	3740 Washington Avenue
M04-056	5740 NW 5 th Court A/K/A 590 NW 58 th Street

Mr. Goolsby then announced that the following Unincorporated Miami-Dade County cases were **Withdrawn/Deferred:**

Unincorporated Miami Dade Cases:

DC200318673U	2391 NW 171 st Terrace
DC200422915U	10274 SW 180 th Street
DC200423775U	550 NW 116 th Terrace
DC200424719U	3166 NW 170 th Street
DC200425232U	1405 NE 110 th Terrace
DC200427109U	2450 NW 179 th Terrace
DC200427114U	3051 NW 187 th Street

City of Miami:

M04-049	519 NW 69 th Street
M04-054	3895 Washington Avenue
M04-055	4309 NW 6 th Avenue

The cases and photographs were submitted to the Board for review and were called by Mr. Goolsby.

Mr. Cueva announced that to speed up the process the board would review the cases during the period of discussion of old business.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Goolsby. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:20 P.M. by the court reporter.

Old Business: Turner Guilford Knight (TGK)

Mr. Thomas Robertson, Asst. County Attorney informed the Board that the County Attorney's Office have provided a written update of what has been going on as respect to repairs at the Turner Guilford Knight (TGK). He also informed the board that the update is accurate with the exception of what have occurred in the last month. Mr. Robertson mentioned that the fire alarm system is just about completed, but during the course of testing, they discovered a problem with the fire alarm system and smoke evacuation system. He explained that there is leakage into the chases, which are essential to the vents that are used for venting smoke. He then stated that it was discovered that the penetration of the cubic feet coming out of the individual pot is non-sufficient for what the Fire Department expected.

Mr. Robertson further stated that the TGK has employed a Contractor who will do the work of replacing the fire alarm system. He then informed the board that the Contractor would commence work tomorrow to seal some of the chasers. Mr. Robertson then explained to the board the function of the seal and stated that it will be a short-term fix and enlightened the board that fire alarm system s are 98% completed.

Mr. Loader asked Mr. Robertson when the written report was submitted.

Mr. Robertson answered that the written report was submitted at the last hearing.

Mr. Loader then asked out in the audience if there was anyone from the Fire Department and Building Department had any comments as to what Mr. Robertson have stated.

Mr. Ricardo Roig, Unincorporated Miami-Dade County, Unsafe Structures Unit commented that they were currently awaiting the results of the test. He then stated that once the Building Official reviews the proposal after the test, they would make a decision at that time.

Mr. Pedro Bas responded that they concurred with Mr. Robertson. He then stated that the prisoners would be moved to the central facility. Mr. Bas also informed the board that the Fire Department had suggested for that they do this type of test.

Mr. Roig stated that the TGK could return before the Board in December with a report and the funding requirements.

Mr. Starkweather suggested that to assure that everything is completed, they should return to the Board in March.

Mr. Loader concurred with Mr. Roig that they should return with a report in December.

After some discussion, the Board agreed to have them report to the Board in December.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called forth the first case within Unincorporated Miami Dade County to be heard by the Board.

Unincorporated Miami-Dade County Case:

DC200318658U

10410 NW 28th Avenue

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson proceeded to recommend that “said the structures (A) and (B) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed. Said structure (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson further recommended, “said structures (C) and (D) be demolished by an individual qualified to obtain a demolition within forty-five (45) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mrs. Bleydis Barreto, property owner, stated that the back building needed a variance and she would need a little more time before she could obtain compliance.

Mr. Deeb asked if the building was secured.

Mrs. Barreto answered “yes.”

Mr. Roig proceeded to ask the owner why she was going through the zoning appeals process if a permit was not obtained.

Mrs. Barreto responded that upon her purchasing the property she was told that needed to do so.

Mr. Loader asked how much time she needed.

Mrs. Barreto stated that she needed 60-days to obtain compliance.

Mr. Essein asked about the condition of the other buildings.

Mr. Errickson answered that there are plumbing and fire issues with the remaining structures.

After much discussion, Mr. Loader moved that “said structures (A) & (B) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed. A building permit must be obtained for structure (A) for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. Said structure (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure (B) for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within two hundred seventy (270) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The completion or repair of said structure (B) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Loader further moved that “said structures (C) & (D) shall be demolished by an individual qualified to obtain a demolition permit within sixty (60) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called forth the second case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200426886U

3645 NW 99th Street

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that “said the structure (A) be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. Said structure (E) must be repaired or completed. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Errickson further recommended, “said structures (B), (C), (D) and (F) be demolished by an individual qualified to obtain a demolition within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Gus Williamson, son of the property owner, requested more time to obtain compliance.

Mr. Loader asked had there been steps to obtain compliance.

Mr. Williamson answered that they are in the process of bringing the structure up to code.

Mr. Errickson stated that owner was issued a Notice of Violation on July 15, 2004.

Mr. Roig asked the owner if they would be willing to demolish the structures on the side of the house.

Mrs. Cathy Winstead informed the Board that the structures on side of the house have since been demolished.

Upon discussion, Mr. Deeb moved that “said structure (A) is to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with plans prepared by an Architect/Engineer or a qualified individual. A building permit must be obtained for structure (A) for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred

eighty (180) days from today. Said structure (E) must be repaired. A building permit must be obtained for structure (E) for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures (A) & (E) shall conform to the Florida Building Code unless application is made pursuant to the provisions of section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Deeb further moved that “said structures (B), (C), (D) & (F) must be demolished by an individual qualified to obtain a demolition permit within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called forth the third case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200425703U

7201 NW 21st Avenue

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account of the structure and proceeded to recommend that “said the structures (A) and (B) be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A), (B) and (C) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structures shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega further moved that “said structure (D) be demolished by an individual qualified to obtain a demolition within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Property Owner, Fernando Puente stated that informed the Board that he purchased the home about six weeks ago and he was not aware that there was a demolition order on the property. He further added that because a lien was placed on the property he was not able to obtain permits.

Mr. Roig commented that Mr. Puente’s name does appear as him being the owner.

Mr. Vega stated that the previous owner commenced the work without permits.

Mr. Cueva requested of the new owner proof of ownership.

Mr. Puente then provided the Board proof of ownership.

After some discussion, Mr. Loader moved that “said structures (A), (B) & (C) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structures (A), (B) & (C) must be repaired or completed. A building permit must be obtained for structures for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within one hundred twenty (120) days from today. The completion or repair of said structures (A), (B) & (C) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within one hundred eighty (180) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.

Mr. Loader further moved that “said structure (D) shall be demolished by an individual qualified to obtain a demolition permit within ninety (90) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called fourth case to be heard by the Unincorporated Miami-Dade, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC200425243U

11030 N.W. 22 Court

Mr. Spencer Errickson, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Errickson gave an account of the structures and recommended that ““said the structure (s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed.”

Mr. Errickson then gave the status of structure (B) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Tonnie Stein, property owner, stated that he wanted to do all the necessary repairs, but advised the members that he would need to go through zoning first.

Mr. Errickson commented that if structure (B) were to be demolished the zoning issue would be cleared.

Mr. Roig stated that they would not issue permits during the zoning process.

Mr. Errickson remarked that Mr. Stein could in fact obtain the roofing permit while he is going through the zoning process.

Mr. Roig then explained to the owner that it would cost about \$3500 to go through the zoning appeals process.

Upon discussion, Mr. Loader moved that “Said structures (A) & (B) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed. Said structure (B) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structures (A) & (B) for all repairs or items to be completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today for structure (A) and two hundred ten (210) days from today for structure (B). The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible. The complete building or structure (B) shall be made to conform to all the Florida Building Code requirements for a new building or structure and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Loader further moved that “said structures (C), (D), (E) & (F) shall be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.”

Mr. Starkweather seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Goolsby then called the last case to be heard from Unincorporated Miami-Dade County, Unsafe Structures Unit.

Unincorporated Miami-Dade County Case:

DC2004240227U

3271 N.W. 51 Terrace

Mr. Orlando Vega, Building Inspector, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Vega gave an account for structure and recommended that “said the structure (s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer’s sealed plans. A building permit must be obtained for structure (A) for all repairs or items to be completed for all structure. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Vega then gave the status of structure (B) and recommended that “said structure shall be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mrs. Karen Dixon, wife of property owner, stated that they are in the process of receiving assistance from Team Metro, Community Action Agency and MMAP.

After some discussion, Mr. Loader moved that said structure be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure (A) must be repaired or completed with Engineer’s Certification and Architect/Engineer sealed plans. A building permit must be obtained for structures for all repairs or items to be

completed. The permit documents shall be submitted FIRST to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5(2) of the Miami-Dade County Code within sixty (60) days from today. The completion or repair of said structure (A) shall conform to the Florida Building Code unless application is made pursuant to the provisions of Section 8-11(g) of the code of Miami Dade County and shall be completed within ninety (90) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Loader further moved that “said structure (B) must be demolished by an individual qualified to obtain a demolition permit within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structures shall be demolished by the enforcing municipality as soon as possible.” The Unsafe Structures Board shall retain jurisdiction.

Mr. Deeb seconded the motion.

Motions passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 3:45 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____

USAFE STRUCTURES BOARD HEARING MINUTES OF NOVEMBER 17TH, 2004

Members Present: James Cueva, C Gordon Loader, VC Abel Ramirez
Jose Vera James Starkweather Amedee Emile
Benjamin S. Essein Kevin Deeb Alberto Milian

Staff: Jorge Gamoneda, Acting Secretary
Latisha Byrd, Recording Secretary
Daniel Frastai, Assistant County Attorney

Court Reporter: Lorena Ramos, Metro Dade Court Reporter

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:20 P.M. on Wednesday, November 17th, 2004, on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. James Cueva requested a motion to approve and accept the minutes of the October 20th, 2004 Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting. Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Jorge Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Miami cases have made **agreements with the Building Official:**

Unincorporated Miami-Dade County Cases:

DC200320867U	11303 NE 12 th Avenue
DC200422915U	10274 SW 180 th Street
DC200423775U	550 NW 116 th Terrace
DC200425981U	14520 Harrison Street
DC200427064U	19770 West Dixie Highway
DC200427105U	51 Northwest Boulevard
DC200427112U	3451 Broad Manor Road

City of Miami:

M04-058	275 NW 42 nd Street
M04-066	3465 Day Avenue

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **No Show/No Contest:**

Unincorporated Miami Dade Cases:

DC200425985U	1511 SW 71 st Court
DC200427103U	5215 NW 24 th Place
DC200427642U	10765 SW 146 th Street

City of Miami:

M04-057	179 NW 28 th Street
M04-059	530 NW 46 th Street
M04-063	1010 NW 9 th Court

Mr. Gamoneda then announced that the following Unincorporated Miami-Dade County and City of Miami cases were **Withdrawn/Deferred:**

Unincorporated Miami Dade Case:

DC200427059U	1651 NE 144 th Street
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City of Miami Cases:

M04-060	705 SW 12 th Avenue
M04-061	709 SW 12 th Avenue
M04-062	729 SW 12 th Avenue A/K/A 719 SW 12 th Avenue
M04-064	1201 NW 67 th Street
M04-065	3465 Day Avenue

The cases and photographs were submitted to the Board for review and were called by Mr. Gamoneda.

Mr. James Cueva announced to speed up the process that the board would review the cases during the period of discussion of the City of Miami Beach cases.

The Building Officials and Appellants being heard by the Unsafe Structure Board were sworn in at 1:24 P.M. by the court reporter.

Mr. Gamoneda then called forth the first case within the City of Miami Beach to be heard by the Board.

City of Miami Beach Case:

BV04001067	2800 Collins Avenue
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Mr. Phil Azan, Building Official, introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Azan recommended that “said structure be demolished by an individual qualified to obtain a demolition within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Gary Held, City Attorney of City of Miami Beach requested for a continuous provided for ordinance. He explained to the board that there is a possibility of a change in ownership which may lead to the structural issues being resolved and the tenants would need more time to meaningfully participate in the process.

Mr. John Pistorino, Engineer stated that he reported to the City of Miami Beach that the building does need to be repaired or demolished. He then informed the board that they have been monitoring the property.

Mr. James Starkweather asked if there were any electrical problems.

Mr. Pistorino responded that the electrical issues can be repaired.

Mr. Gordon Loader inquired whether the building should be occupied.

Ms. Rhonda Montoya Hassan, City of Miami Beach Attorney, enlightened the board that the Building Department is not asking for a continuance.

Mr. Pistorino informed the board that all of the reports have been submitted with the exception of the electrical report. The alarm system had been inspected by the Fire Department and they believe that it needs to be brought up to code.

Ms. Eve Boutsis, General Counsel of Housing of City of Miami Beach, stated that the Housing Quality Standards passed inspections which included electrical.

Mr. Alberto Milian asked if the building is a fire hazard.

Mr. Starkweather asked which organization did the reports.

Mr. Cueva informed the board that the building isn't going to collapse nor is it a fire hazard.

Mr. Mehdi Ashraf, P. E., added that there isn't any imminent danger and proceeded to add that if a hurricane warning occurred the City of Miami Beach would have each tenant evacuate the premises.

Mr. Bob Smith, Representative of Owner, stated that the building is unsafe. He then explained to the board that they have solicited the reports and his client wants to sell the property.

Mr. Milian informed Mr. Smith that the board members are here to serve on the board to decide whether buildings are unsafe.

Mr. Smith responded that he is not asking the board for an extension.

Mr. Cueva informed Mr. Smith that the City is entitled to a continuance of this case.

Mr. Smith replied that a hurricane warning does not always provide a warning.

Ms. Boutsis read into the record the report that was submitted by Mr. Held.

Mr. Kent Harrison Robbins, Attorney, informed the board that Mr. Held submitted 4 reports and explained that the unit steel fell out and that no repairs had been done.

Mr. Benjamin Essien asked Mr. Pistorino if the building would stand up for one more month and if it would be any danger to anyone.

Mr. Pistorino answered “no.” He then explained how important it is that all the repairs needed to be done to make the building safe.

After much discussion, Mr. Loader deferred this case until its next meeting, which is December 15th, 2004.” Mr. Starkweather seconded the motion.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official.

Mr. Starkweather moved to accept the withdrawals, agreed and uncontested cases as called by Mr. Gamoneda. Mr. Deeb seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

Mr. Gamoneda then called forth the second case to be heard by the City of Miami Beach, Unsafe Structures Unit.

City of Miami Beach Case:

BV04000959

900 Collins Avenue

Mr. Phil Azan, Building Official introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Azan recommended that “said structure be demolished by an individual qualified to obtain a demolition within thirty (30) days from today from the Unsafe Structure Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the enforcing municipality as soon as possible.”

Mr. Gary Held, Representative of City of Miami Beach asked the board for a continuance.

Ms. Rhonda Montoya Hassan, City of Miami Beach Attorney informed the board that the building is not occupied. She then commented that the City does not object to a continuance of this case.

Ms. Eileen Chafetz, Attorney, stated that the building is in imminent danger and there are some safety issues.

Ms. Montoya Hassan informed the board that the City had not received any reports indicating that there is any danger to the building.

Mr. Starkweather asked how long have this issue been ongoing.

Mr. Daniel Frastai, Assistant County Attorney asked Mr. Azan if the entire property was secured.

Mr. Azan responded that the roof is not secured and the entry of the building is not fully secured, as well.

Mr. Michael Stern, Representative of Property, stated that he wanted to clarify the structural engineer.

Mr. Cueva informed Mr. Stern that the board is set to decide if the property is unsafe.

Mr. Frastai suggested that they let them do the necessary repairs to make the building safe and bring it up to code.

Mr. Loader asked if the building can be better secured.

Ms. Chafetz stated that the building would collapse from strong winds.

Mr. Milian read into the ordinance that the building is entitled to 120 days to do all the necessary repairs and explained to the board that the building is non-occupied.

Ms. Chafetz stated that the building should be demolished immediately.

Mr. Frastai clarified that the board can not order demolition on the property.

Mr. Cueva asked what could be done so that it will not be an imminent danger.

Ms. Chafetz stressed to the board that if the building is touched that it will collapse.

Ms. Nancy Lehman expressed to the board that the building has been neglected.

After much discussion, Mr. Loader deferred this case until its next meeting, which is December 15th, 2004. Said structure(s) are to be maintained secure, clean and sanitary. Free of debris, overgrown grass or weeds and free of discoloration or graffiti. Said structure is to be secured in order to protect the members of the public in the event that the structure may collapse. The structure shall also be secured in a way to prevent unauthorized individuals from gaining entry to the structure. The method of securing to be employed shall be to the satisfaction of the City of Miami Beach Building Official.” Mr. Vera seconded the motion.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

There being no further business, the meeting was adjourned at 2:55 P.M.

Prepared by: _____
Recording Secretary

Chairperson

Date: _____